

Organizer: Lyons, Troy[lyons.troy@epa.gov]
From: Lyons, Troy
Location: Troy's Office 3426 WJC North
Importance: Normal
Subject: Hot Topics Discussion (9:30 AM)
Start Time: Fri 1/26/2018 2:30:00 PM
End Time: Fri 1/26/2018 3:30:00 PM
Required Attendees: Abboud, Michael; Bowman, Liz; Hewitt, James; Hanson, Paige (Catherine); Shimmin, Kaitlyn; Frye, Tony (Robert); Greaves, Holly; Palich, Christian

[MASTER 1-30 EPW Hot Topics.docx](#)

PURPOSE: To complete Hot Topics Memo for Administrator’s EPW Hearing

NOTE: Draft Hot Topics Attached

WORKING CONTACT:
Kaitlyn Shimmin
Special Assistant Congressional and Intergovernmental Affairs
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460
O: (202) 564-4108

Personal Phone / Ex. 6

Shimmin.Kaitlyn@epa.gov

To: Dorr, Kaelan K. EOP/WHO[Redacted]; Love, Kelly A. EOP/WHO[Redacted]; Rateike, Bradley A. EOP/WHO[Redacted]
[Redacted] Personal Email / Ex. 6 [Redacted] EOP / Ex. 6 [Redacted]
[Redacted] EOP / Ex. 6 [Redacted] EOP / Ex. 6 [Redacted] EOP / Ex. 6 [Redacted]
Henning, Alexa A. EOP/WHO[Redacted] EOP / Ex. 6 [Redacted] EOP / Ex. 6 [Redacted]
[Redacted] EOP / Ex. 6 [Redacted]
[Redacted] EOP / Ex. 6 [Redacted]

Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Wed 12/20/2017 10:02:26 PM
Subject: WH Reports
[Daily Communications Report 12 20 17.docx](#)
[2017-12-20 EPA Report for WH Comms Planning.docx](#)

WH Team: Attached are our reports.

Thank you,

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
[Redacted] Personal Phone / Ex. 6 [Redacted]

To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Wed 12/20/2017 8:44:21 PM
Subject: WH Reports
2017-12-20 EPA Report for WH Comms Planning.docx
Daily Communications Report 12 20 17.docx

Team: Attached are the weekly and daily reports. I plan to send them at 5pm of before with approval. Thanks!

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs

Personal Phone / Ex. 6

To: Shah, Raj S. EOP/WHO[**EOP / Ex. 6**]; Rateike, Bradley A. EOP/WHO[**EOP / Ex. 6**];
Love, Kelly A. EOP/WHO[EOP / Ex. 6**]**
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 6:41:24 PM
Subject: AP / Spending

We also shared this statement as well on a different chain.

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Monday, December 18, 2017 1:16 PM
To: Pace, Julie <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]
Sent: Monday, December 18, 2017 1:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Jahan,

Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt’s physical security?

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA’s Protective Service Detail.” – EPA spokesman, Jahan Wilcox

Also, we have not seen and, depending on the amount, don’t have access to what was spent on a bug sweep under Lisa Jackson, but I’m interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

“Please ask your source, who apparently has access to the database of EPA’s expenditures.” – EPA spokesman, Jahan Wilcox

Thanks,

Michael

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]
Sent: Monday, December 18, 2017 12:29 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]
Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in counter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

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www.ap.org/tips

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." -- Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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To: Bowman, Liz[Bowman.Liz@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 6:40:02 PM
Subject: FW: Julie and Michael -

FYI.

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To: Pace, Julie <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>
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Sent: Monday, December 18, 2017 11:47 AM
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Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
[Public Key](#)

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To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
Cc: Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 5:17:54 PM
Subject: APPROVAL: Bug sweeping, biometric locks

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

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Thanks,

Michael



ASSOCIATED PRESS

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Reporter
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To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Tue 12/19/2017 9:59:22 PM
Subject: RE: WH Report
Daily Communications Report 12 19 17.docx

Per discussion with Kelsi, I’ve removed the Superfund list action from “upcoming” and replaced it with Ozone letters.

Sending at 5:05pm...

From: Konkus, John
Sent: Tuesday, December 19, 2017 4:53 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: WH Report

Team: Attached is today’s report. Sorry for the short fuse but I’d like to send it at 5pm please. Thanks!

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs

Personal Phone / Ex. 6

To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Tue 12/19/2017 9:52:56 PM
Subject: WH Report
Daily Communications Report 12 19 17.docx

Team: Attached is today's report. Sorry for the short fuse but I'd like to send it at 5pm please. Thanks!

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs

Personal Phone / Ex. 6

To: Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: White, Elizabeth
Sent: Mon 8/6/2018 3:54:59 PM
Subject: FW: APPROVAL REQUESTED: Interim Release of Definers Contract
[Definers FOIAs for interim release \(8.6.18\).xlsx](#)
[Definers Cover Letter for Interims \(8.6.2018\).docx](#)

FYI – these are documents that have already been released; however, we had several different requests for these same documents (or same subject matter) and so we are going to go ahead and provide the link to those other requestors. Some are media so wanted make sure you were aware.

Beth White
Director, Office of the Executive Secretariat
U.S. Environmental Protection Agency
(202) 564-1781 direct
Personal Phone / Ex. 6

From: Hill, Kevin W.
Sent: Monday, August 6, 2018 11:52 AM
To: White, Elizabeth <white.elizabeth@epa.gov>
Cc: Walker, Denise <Walker.Denise@epa.gov>; Rementer, Nicole <rementer.nicole@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: APPROVAL REQUESTED: Interim Release of Definers Contract

Good Morning Beth,

The AO4 located records which were previously released by OARM under a FOIA case # EPA-HQ-2018-003680. We are prepared to provide additional FOIA requesters with a link to those publicly available records. Attached is an excel spreadsheet listing the FOIA case numbers and the requesters who will receive a response. We will provide responses to 12 requests in total. After we receive your go ahead, the team will send the correspondence via FOIAonline.

As a reminder, we do not require your signature, *only your approval*.

Please let me know if you have any questions. Thank you.

Regards,
Kevin

Kevin W. Hill
Attorney-Adviser
U.S. Environmental Protection Agency
Office of General Counsel
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Office: 202-564-1652
hill.kevinw@epa.gov

To: Dorr, Kaelan K. EOP/WHO EOP / Ex. 6 Love, Kelly A. EOP/WHO EOP / Ex. 6 Rateike,
Bradley A. EOP/WHO EOP / Ex. 6
EOP / Ex. 6
Henning, Alexa A. EOP/WHO EOP / Ex. 6

EOP / Ex. 6

Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov];
Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block,
Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Fri 12/15/2017 11:06:00 PM
Subject: WH Report
Daily Communications Report 12 15 17.docx

WH Team: Attached is our report.

Thank you,

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Personal Phone / Ex. 6

To: Jackie Toth[jackieto@cqrollcall.com]; Abboud, Michael[abboud.michael@epa.gov]; Molly Block[Molly.Block@mail.house.gov]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 6:49:42 PM
Subject: RE: Q re: Definers contract

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Jackie Toth [mailto:jackieto@cqrollcall.com]
Sent: Tuesday, December 19, 2017 1:43 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Molly Block <Molly.Block@mail.house.gov>
Subject: Q re: Definers contract

Hi all,

Can we get confirmation that the EPA canceled the Definers contract? When will Definers' services be fully terminated? Does the EPA intend to issue a replacement contract, and will it be opened to a bid?

Deadline's no later than 3:30pm today, if possible.

Thanks much,
Jackie

Jackie Toth
CQ Legal
Energy & Environment Reporter/Analyst
O: 202-650-6518

Personal Phone / Ex. 6
@JackieTothDC

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Molly Block[Molly.Block@mail.house.gov]
From: Jackie Toth
Sent: Tue 12/19/2017 6:42:53 PM
Subject: Q re: Definers contract

Hi all,

Can we get confirmation that the EPA canceled the Definers contract? When will Definers' services be fully terminated? Does the EPA intend to issue a replacement contract, and will it be opened to a bid?

Deadline's no later than 3:30pm today, if possible.

Thanks much,
Jackie

Jackie Toth
CQ Legal
Energy & Environment Reporter/Analyst
O: 202-650-6518

Personal Phone / Ex. 6

@JackieTothDC

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To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Fri 12/15/2017 8:05:06 PM
Subject: WH Report
Daily Communications Report 12_15_17.docx

Team: Attached is today's report. **Personal Matters / Ex. 6**
Personal Phone / Ex. 6 Otherwise, I'll send it when I get back to my desk later this evening. Thanks!

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs

Personal Phone / Ex. 6

To: Abboud, Michael[abboud.michael@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Tue 12/19/2017 5:43:34 PM
Subject: RE: APPROVAL: well, then on a different subject...

I actually like "our" here

From: Abboud, Michael
Sent: Tuesday, December 19, 2017 12:40 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: Re: APPROVAL: well, then on a different subject...

Change "our" to "the"

Sent from my iPhone


On Dec 19, 2017, at 11:37 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

"How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor."

From: Friedman, Lisa [<mailto:lisa.friedman@nytimes.com>]
Sent: Tuesday, December 19, 2017 12:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: well, then on a different subject...

Got a comment about Definers dropping out of the contract?

--

Lisa Friedman
Reporter, New York Times
(202) 862-0306 office


To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Kevin Bogardus
Sent: Fri 12/15/2017 3:47:58 PM
Subject: RE: Definers Corp. contract with EPA

Got it, Jahan. Many thanks. Big help. I will add this to the piece. Thanks again.

Kevin Bogardus
E&E News Reporter

kbogardus@eenews.net
202-446-0401 (p)

Personal Phone / Ex. 6

202-737-5299 (f)

Follow me [@KevinBogardus](#)

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: Friday, December 15, 2017 10:19 AM
To: Kevin Bogardus; Bowman, Liz; Konkus, John; Ferguson, Lincoln; Abboud, Michael; Hewitt, James; Block, Molly; Daniell, Kelsi
Subject: RE: Definers Corp. contract with EPA

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Friday, December 15, 2017 9:54 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: Definers Corp. contract with EPA

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a piece about Definers Corp.'s contract with EPA
(<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>). I had a few questions about this, which are:

-- How did this contract happen? Did Definers approach EPA first or did EPA approach Definers first?

-- What services will Definers be providing EPA? Will Definers be providing "war room" services to EPA
(https://docs.wixstatic.com/uqd/3d6ea3_c21da991906e440eba09e35b63bbcc10.pdf)?

-- A search of usaspending.gov shows that Definers' contract with EPA is Definers' first contract with EPA
(<https://www.usaspending.gov/Pages/AdvancedSearch.aspx?sub=y&ST=C&FY=2018,2017,2016,2015,2014,2013,2012,2011,2010,2009&A=0&SS=USA&k=definers>). Is that accurate?

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Also, since I'm working from home today, please email me here or call my cell phone at Personal Phone / Ex. 6 Thank you for your help.

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
From: Bowman, Liz
Sent: Tue 12/19/2017 5:40:01 PM
Subject: RE: APPROVAL: well, then on a different subject...

Good w me

From: Wilcox, Jahan
Sent: Tuesday, December 19, 2017 12:38 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: APPROVAL: well, then on a different subject...

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Friedman, Lisa [<mailto:lisa.friedman@nytimes.com>]
Sent: Tuesday, December 19, 2017 12:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: well, then on a different subject...

Got a comment about Definers dropping out of the contract?

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Personal Phone / Ex. 6

To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
From: Grantham, Nancy
Sent: Tue 12/19/2017 5:39:59 PM
Subject: RE: APPROVAL: well, then on a different subject...

Looks good to me thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Wilcox, Jahan
Sent: Tuesday, December 19, 2017 12:38 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
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From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:19:25 PM
Subject: RE: Definers Corp. contract with EPA

"The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public." – EPA spokesperson Nancy Grantham

From: Kevin Bogardus [mailto:kbogardus@eenews.net]

Sent: Friday, December 15, 2017 9:54 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: Definers Corp. contract with EPA

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It's Kevin Bogardus with E&E News.

I'm working on a piece about Definers Corp.'s contract with EPA

(<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>). I had a few questions about this, which are:

-- How did this contract happen? Did Definers approach EPA first or did EPA approach Definers first?

-- What services will Definers be providing EPA? Will Definers be providing "war room" services to EPA
(https://docs.wixstatic.com/ugd/3d6ea3_c21da991906e440eba09e35b63bbcc10.pdf)?

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From: Wilcox, Jahan
Sent: Fri 12/15/2017 2:58:50 PM
Subject: RE: Definers Corp. contract with EPA

Handling.

From: Kevin Bogardus [mailto:kbogardus@eenews.net]

Sent: Friday, December 15, 2017 9:54 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>

Subject: Definers Corp. contract with EPA

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I'm working on a piece about Definers Corp.'s contract with EPA

(<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>). I had a few questions about this, which are:

-- How did this contract happen? Did Definers approach EPA first or did EPA approach Definers first?

-- What services will Definers be providing EPA? Will Definers be providing "war room" services to EPA (https://docs.wixstatic.com/ugd/3d6ea3_c21da991906e440eba09e35b63bbcc10.pdf)?

-- A search of usaspending.gov shows that Definers' contract with EPA is Definers' first contract with EPA (<https://www.usaspending.gov/Pages/AdvancedSearch.aspx?sub=y&ST=C&FY=2018,2017,2016,2015,2014,2013,2012,2011,2010,2009&A=0&SS=USA&k=definers>). Is that accurate?

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From: Kevin Bogardus
Sent: Fri 12/15/2017 2:53:54 PM
Subject: Definers Corp. contract with EPA

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a piece about Definers Corp.'s contract with EPA
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- What services will Definers be providing EPA? Will Definers be providing "war room" services to EPA
(https://docs.wixstatic.com/ugd/3d6ea3_c21da991906e440eba09e35b63bbcc10.pdf)?
- A search of [usaspending.gov](https://www.usaspending.gov) shows that Definers' contract with EPA is Definers' first contract with EPA
(<https://www.usaspending.gov/Pages/AdvancedSearch.aspx?sub=y&ST=C&FY=2018,2017,2016,2015,2014,2013,2012,2011,2010,2009&A=0&SS=USA&k=definers>). Is that accurate?

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From: Kevin Bogardus
Sent: Tue 12/19/2017 4:09:02 PM
Subject: Morocco trip and PR firm contract

Hello everyone,

It's Kevin Bogardus with E&E News.

I'm working on a few pieces today so I have a few questions for you, which are:

- Sen. Carper has requested that the EPA Inspector General also investigate Administrator Pruitt's trip to Morocco as part of the EPA IG's audit of the administrator's travel, according to a letter sent yesterday (https://www.epw.senate.gov/public/_cache/files/a/7/a7271e2f-169d-4421-8aa1-bd2aee769bb0/357ADF0B861CF8EE2E008EE37D270633.carper-asks-inspector-general-to-expand-investigation-into-epa-administrators-travel.pdf). Does EPA have any reaction to this letter?
- American Oversight and Environmental Working Group are calling on the EPA IG to investigate an EPA contract awarded to Definers Corp., a public affairs firm, according to a letter sent yesterday (<https://www.americanoversight.org/american-oversight-environmental-working-group-call-epa-ig-investigation-no-bid-contract-gop-consulting-firm#letter>). In addition, Public Citizen has filed a protest at the Government Accountability Office regarding the EPA contract with Definers Corp, according to a letter sent yesterday (https://www.citizen.org/sites/default/files/bid_protest_for_epa_contract_ep18h000025.pdf). Does EPA have any reaction to either of these letters?

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus

E&E News reporter

kbogardus@eenews.net

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To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Daniell, Kelsi[daniell.kelsi@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Tue 6/19/2018 9:34:06 PM
Subject: Re: EPA Definers Corp. contract

Yes

On Jun 19, 2018, at 5:27 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Jun 19, 2018, at 5:23 PM, Daniell, Kelsi <daniell.kelsi@epa.gov> wrote:

For situational awareness re Kevin's latest inquiry

Sent from my iPad

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Kevin Bogardus <kbogardus@eenews.net>
Date: May 24, 2018 at 11:32:27 AM EDT
To: "Abboud, Michael" <abboud.michael@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Daniell, Kelsi" <daniell.kelsi@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Lynn, Tricia" <lynn.tricia@epa.gov>, Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

Gotcha, Mike. Many thanks. Appreciate it.

-Kevin

From: Abboud, Michael [<mailto:abboud.michael@epa.gov>]
Sent: Thursday, May 24, 2018 11:23 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

On background I can confirm that both of your questions about Tricia Lynn and Nancy Grantham are correct.

From: Wilcox, Jahan
Sent: Thursday, May 24, 2018 11:08 AM
To: Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>;

Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

“The Definers contract was for news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesman, Jahan Wilcox

From: Kevin Bogardus [<mailto:kbogardus@eenews.net>]
Sent: Thursday, May 24, 2018 11:02 AM
To: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>
Subject: EPA Definers Corp. contract

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a story about EPA's canceled contract with Definers Corp. I obtained contracting records under the Freedom of Information Act that shed more light on the contract (please see https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). I had a question about this, which is:

- Why did EPA sign this contract with Definers Corp.?

And I had a few fact-checking questions about this as well, which are:

- Nancy Grantham, as acting principal deputy associate administrator in EPA's Office of Public Affairs, is the top career official in EPA's OPA (please see page 58 of https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). Is that accurate?
- Tricia Lynn is a career employee in EPA's OPA (please page 21 of https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). Is that accurate?

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

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From: Block, Molly
Sent: Tue 6/19/2018 9:33:11 PM
Subject: RE: EPA Definers Corp. contract

Agreed.

From: Abboud, Michael
Sent: Tuesday, June 19, 2018 5:27 PM
To: Daniell, Kelsi <daniell.kelsi@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>
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Deliberative Process / Ex. 5

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From: Wilcox, Jahan
Sent: Thursday, May 24, 2018 11:08 AM
To: Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>;

Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>

Subject: RE: EPA Definers Corp. contract

“The Definers contract was for news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.”
– EPA spokesman, Jahan Wilcox

From: Kevin Bogardus [<mailto:kbogardus@eenews.net>]

Sent: Thursday, May 24, 2018 11:02 AM

To: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>

Subject: EPA Definers Corp. contract

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a story about EPA's canceled contract with Definers Corp. I obtained contracting records under the Freedom of Information Act that shed more light on the contract (please see https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). I had a question about this, which is:

- Why did EPA sign this contract with Definers Corp.?

And I had a few fact-checking questions about this as well, which are:

- Nancy Grantham, as acting principal deputy associate administrator in EPA's Office of Public Affairs, is the top career official in EPA's OPA (please see page 58 of https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). Is that accurate?
- Tricia Lynn is a career employee in EPA's OPA (please page 21 of https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). Is that accurate?

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus

E&E News reporter

kbogardus@eenews.net

202-446-0401 (p)

Personal Phone / Ex. 6

202-737-5299 (f)

Follow me @KevinBogardus

E&E NEWS

122 C Street, NW, Suite 722, Washington, DC 20001

To: Konkus, John[konkus.john@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Daniell, Kelsi
Sent: Tue 6/19/2018 9:23:14 PM
Subject: Fwd: EPA Definers Corp. contract

For situational awareness re Kevin's latest inquiry

Sent from my iPad

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Kevin Bogardus <kbogardus@eenews.net>
Date: May 24, 2018 at 11:32:27 AM EDT
To: "Abboud, Michael" <abboud.michael@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Daniell, Kelsi" <daniell.kelsi@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Lynn, Tricia" <lynn.tricia@epa.gov>, Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

Gotcha, Mike. Many thanks. Appreciate it.

-Kevin

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Thursday, May 24, 2018 11:23 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

On background I can confirm that both of your questions about Tricia Lynn and Nancy Grantham are correct.

From: Wilcox, Jahan
Sent: Thursday, May 24, 2018 11:08 AM
To: Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

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From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Thursday, May 24, 2018 11:02 AM
To: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>

Subject: EPA Definers Corp. contract

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a story about EPA's canceled contract with Definers Corp. I obtained contracting records under the Freedom of Information Act that shed more light on the contract (please see https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). I had a question about this, which is:

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Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus

E&E News reporter

kbogardus@eenews.net

202-446-0401 (p)

Personal Phone / Ex. 6

202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

To: Dorr, Kaelan K. EOP/WHC

EOP / Ex. 6

Love, Kelly A. EOP/WHO

EOP / Ex. 6

Rateike,

Bradley A. EOP/WHO

EOP / Ex. 6

Henning, Alexa A. EOP/WHO

EOP / Ex. 6

EOP / Ex. 6

Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Mon 12/18/2017 10:55:14 PM
Subject: WH Report
[Daily Communications Report 12 18 17.docx](#)

WH Team: Attached is our report.

Thank you,

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs

Personal Phone / Ex. 6

To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Mon 12/18/2017 9:45:39 PM
Subject: WH Report
Daily Communications Report 12_18_17.docx

Team: Attached is today's report. I will send it to the WH around 6pm. Thanks.

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs

Personal Phone / Ex. 6

To: Bowman, Liz[Bowman.Liz@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Hewitt, James
Sent: Fri 1/5/2018 8:20:01 PM
Subject: APPROVAL Top Democrats Alarmed by EPA Contract with GOP Operatives

Deliberative Process / Ex. 5

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Friday, January 5, 2018 3:11 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FW: Top Democrats Alarmed by EPA Contract with GOP Operatives

Hey everyone,

Kevin Bogardus with E&E News here.

Democrats on the House Energy and Commerce Committee sent a letter to Administrator Pruitt with questions about the now canceled contract with Definers Corp. Please see below. Does EPA have any response?

Please get back to me as soon as possible. My deadline is 4 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus
E&E News reporter
kbogardus@eenews.net
202-446-0401 (p)
Deliberative Process / Ex. 5
202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

From: E&C Dem News [mailto:ecdemnews@mail.house.gov]
Sent: Friday, January 05, 2018 2:56 PM
To: E&C Dem News <ecdemnews@mail.house.gov>
Subject: Top Democrats Alarmed by EPA Contract with GOP Operatives



FOR IMMEDIATE RELEASE
January 5, 2018

CONTACT
[CJ Young](#) — (202) 225-5735

Top Democrats Alarmed by EPA Contract with GOP Operatives

Washington, D.C. – Democratic leaders of the Energy and Commerce, Transportation and Infrastructure and Appropriations committees sent a [letter](#) to Environmental Protection Agency (EPA) Administrator Scott Pruitt today expressing their serious concerns regarding a no-bid contract awarded by EPA to Definers Public Affairs.

The Democrats voiced concerns that the \$120,000 contract – recently terminated by Definers after [press reports](#) brought the contract to light – was awarded without full and open competition to a company with no apparent experience in providing these services to a Federal agency. The Democratic leaders also wrote that they were “deeply troubled” by Definers staffers’ involvement in an [apparent witch hunt](#) against EPA employees who may have publicly or privately expressed concerns about the agency or its leadership.

The letter was signed by Energy and Commerce Ranking Member Frank Pallone, Jr. (D-NJ), Transportation and Infrastructure Ranking Member Peter DeFazio (D-OR), E&C Environment Subcommittee Ranking Member Paul Tonko (D-NY), T&I Water Resources and Environment Subcommittee Ranking Member Grace Napolitano (D-CA) and Appropriations Interior, Environment and Related Agencies Subcommittee Ranking Member Betty McCollum (D-MN).

“We have become increasingly concerned about the secrecy and lack of transparency from your administration, and this latest report is an alarming new development,” the Democratic Committee leaders wrote to Administrator Pruitt. **“Hiring a firm that offers services attacking the press and surveilling your employees threatens the functioning of your agency and potentially the freedom of the press guaranteed by our Constitution.”**

As part of their inquiry, the Democrats are requesting answers to a series of questions and additional information from Administrator Pruitt, including:

- What was Pruitt’s role in selecting Definers for this award? In addition to Pruitt, which EPA political appointees were involved in selecting Definers?
- Were Pruitt or other EPA political appointees aware of Freedom of Information Act (FOIA) requests filed by Definers employees against individual agency employees before the contract was awarded?
- Was Definers, America Rising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?
- Were Pruitt, his agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site?
- What work did Definers perform for EPA pursuant to the contract? What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract?
- On December 10, *The New York Times* published an article identifying an alarming decrease in enforcement actions brought by the EPA under Pruitt’s leadership. EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in the agency’s response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.
- What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propaganda Prohibition and Anti-Lobbying provisions?
- Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

The letter to Administrator Pruitt is available [HERE](#).

###

democrats-energycommerce.house.gov | [Twitter](#) | [Facebook](#) | [Instagram](#) | [YouTube](#) | [Flickr](#)

To: Bowman, Liz[Bowman.Liz@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Kevin Bogardus
Sent: Fri 1/5/2018 8:10:36 PM
Subject: FW: Top Democrats Alarmed by EPA Contract with GOP Operatives

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Personal Email / Ex. 6

202-737-5299 (f)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

From: E&C Dem News [mailto:ecdemnews@mail.house.gov]
Sent: Friday, January 05, 2018 2:56 PM
To: E&C Dem News <ecdemnews@mail.house.gov>
Subject: Top Democrats Alarmed by EPA Contract with GOP Operatives



FOR IMMEDIATE RELEASE
January 5, 2018

CONTACT
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###

To: Bowman, Liz[Bowman.Liz@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 2:26:29 PM
Subject: FW: Questions about EPA morale

FYI.

From: Wilcox, Jahan
Sent: Friday, February 9, 2018 9:26 AM
To: 'Fimrite, Peter' <PFimrite@sfchronicle.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Questions about EPA morale

Peter –

Off-the-record, in regards to budget proposals would just remind you that this morning the Senate passed a two-year budget that will fund the government. Rather than leaving the tea leaves of proposals, believe your readers would like to know the action that Congress has taken, which includes passing a budget that again funds the entire government for the next two years.

- **Today, Friday, February 9, 2018, Congress Passed A Budget That Will Fund The Government For The Next Two Years.** “After a temporary lapse in government funding that lasted through the night, Congress passed a pricey two-year spending deal early Friday that will also fund the government for an additional six weeks. The government temporarily closed after Congress failed to pass a government funding bill before a midnight deadline due to the objections of one senator, shutting down non-essential government services. In the end, a bipartisan cohort of lawmakers supported the \$400 billion agreement. Shortly after 1:30 a.m. ET, the Senate voted, 71-28, to approve a two-year spending bill that would reopen the government, and the House passed it at 5:30 a.m. with the support of 240 members. Trump tweeted Wednesday morning that he had signed the bill, officially ending the brief shutdown.” ([NBC News, 02/09/18](#))

Additionally, **below are some on-the-record responses** to your questions. Some of these answers took a while to find and we hope that you will be able to use as much as possible.

Jahan

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]
Sent: Wednesday, February 7, 2018 3:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

The folks I've talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

- **“From Administrator Pruitt’s focus on cleaning up toxic Superfund sites, his leadership during the government shutdown that kept the agency open and paid every employee, to EPA’s Region 9 where just 11 employees took an early retirement and nearly a quarter of the employees are working despite being eligible to retire, morale is great at EPA.”** – EPA spokesman, Jahan Wilcox

Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words “climate change” were scrubbed from contracts and grants, a form of censorship.

- **“Administrator Pruitt has placed a renewed focused on cleaning up toxic Superfund sites. We are reviewing every grant and 99.84 percent of all grants have been awarded.”** – EPA spokesman, Jahan Wilcox

Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.

- **“Administrator Pruitt is proud to streamline regulations, which is creating regulatory certainty.”** – EPA spokesman, Jahan Wilcox

Many have told me off the record that they are scared to say anything and generally speak with each other in winks and whispers or out of the office because they fear being exposed by the consulting firm Definers Public Affairs, which they say has spent the past year investigating agency employees critical of the Trump administration and Pruitt. Is this true?

- **“No this is not accurate. Like any government agency, all EPA employees are subjected to the Freedom of Information Act (FOIA) and in terms of the FOIAs nearly all are aimed at political, not career employees.”** – EPA spokesman, Jahan Wilcox

Many are also critical of the fact that the two people considered for the administrator job both worked in the oil, gas or mining industry. Can you confirm that Ryan Flynn and Chris Paul were considered for the position. How is the search for a new administrator going and what are you looking for in the leader?

- **“We don’t discuss who have been or not been interviewed for the Region 9 Administrator or any other position. The Administration is carefully considering many highly qualified candidates for Region 9 and will announce another great regional administrator soon.”** – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]
Sent: Wednesday, February 07, 2018 12:26 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan
Sent: Wednesday, February 7, 2018 3:20 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>; Press <Press@epa.gov>
Subject: RE: Questions about EPA morale

Will handle.

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]
Sent: Wednesday, February 7, 2018 2:36 PM
To: Press <Press@epa.gov>
Subject: Questions about EPA morale

I’m working on a story about all the changes occurring at the EPA and the effect it has had on employees in the various regions, particularly region 9. I was hoping for a comment from the administration or a spokesman. Please call me at **Personal Phone / Ex. 6**

Peter Fimrite

Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: @pfimrite

To: Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]; Konkus, John[konkus.john@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Wilcox, Jahan
Sent: Thur 2/8/2018 10:02:16 PM
Subject: RE: APPROVAL: SF Chronicle

Ok

From: Bowman, Liz
Sent: Thursday, February 8, 2018 5:01 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Block, Molly <block.molly@epa.gov>; Konkus, John <konkus.john@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: APPROVAL: SF Chronicle

Deliberative Process / Ex. 5

Sent from my iPhone
On Feb 8, 2018, at 4:58 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

They are doing a big piece about employee morale. Below are suggested response and then I will take this to Ryan.

General Statement: **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

The folks I’ve talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Jahan Wilcox

EPA

Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]; Konkus, John[konkus.john@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Bowman, Liz
Sent: Thur 2/8/2018 10:00:42 PM
Subject: Re: APPROVAL: SF Chronicle

Deliberative Process / Ex. 5

Sent from my iPhone

On Feb 8, 2018, at 4:58 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

They are doing a big piece about employee morale. Below are suggested response and then I will take this to Ryan.

General Statement

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

The folks I've talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

Deliberative Process / Ex. 5

Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words "climate change" were scrubbed from contracts and grants, a form of censorship.

Deliberative Process / Ex. 5

Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.

Deliberative Process / Ex. 5

Many have told me off the record that they are scared to say anything and generally speak with each other in winks and whispers or out of the office because they fear being exposed by the consulting firm Definers Public Affairs, which they say has spent the past year investigating agency employees critical of the Trump administration and Pruitt. Is this true?

Deliberative Process / Ex. 5

Many are also critical of the fact that the two people considered for the administrator job both worked in

the oil, gas or mining industry. Can you confirm that Ryan Flynn and Chris Paul were considered for the position. How is the search for a new administrator going and what are you looking for in the leader?

Deliberative Process / Ex. 5

Jahan Wilcox

EPA

Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]; Konkus, John[konkus.john@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Wilcox, Jahan
Sent: Thur 2/8/2018 9:58:00 PM
Subject: APPROVAL: SF Chronicle

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Press[Press@epa.gov]
From: Skolnik, Samuel
Sent: Tue 12/19/2017 8:08:43 PM
Subject: RE: Time-sensitive questions from Bloomberg Government

Jahan, two more follow-up questions:

- Was this considered a “full and open” acquisition, or a “simplified” acquisition?
- If it was full and open, the agency may have needed to file a “justification and approval” document – but I can’t find it on usaspending.gov, or fpds.gov, or anywhere else. Can EPA release that document?

Thanks,
Sam Skolnik

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 19, 2017 2:10 PM
To: Skolnik, Samuel <sskolnik@bgov.com>
Subject: RE: Time-sensitive questions from Bloomberg Government

It's also not accurate to call it a no-bid contract. Below is our statement about that as well:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

From: Wilcox, Jahan
Sent: Tuesday, December 19, 2017 2:09 PM
To: 'Skolnik, Samuel' <sskolnik@bgov.com>
Subject: RE: Time-sensitive questions from Bloomberg Government

“Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we’re responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them.” – EPA spokesman Jahan Wilcox.

From: Wilcox, Jahan
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To: 'Skolnik, Samuel' <sskolnik@bgov.com>
Subject: RE: Time-sensitive questions from Bloomberg Government

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From: Wilcox, Jahan
Sent: Tuesday, December 19, 2017 2:08 PM
To: 'Skolnik, Samuel' <sskolnik@bgov.com>
Subject: RE: Time-sensitive questions from Bloomberg Government

Bloomberg Government

Direct: (202) 416-3328

Personal Phone / Ex. 6 *(On Fridays, please call my Cell)*

sskolnik@bgov.com

@samskolnik

To: Kathryn Watson[kathryn.watson@cbsinteractive.com]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Sat 12/16/2017 5:49:06 PM
Subject: Re: Reaching out re NYT story + decision to hire Definers

Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services.

This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient.

If you have questions regarding how Definers operates, we encourage you to contact them.

Sent from my iPhone

On Dec 16, 2017, at 12:47 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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On Dec 16, 2017, at 12:46 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

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On Dec 16, 2017, at 11:47 AM, Kathryn Watson <kathryn.watson@cbsinteractive.com> wrote:

Good morning,

I wanted to reach out after the [NYT story published last night](#) described the EPA's decision to hire Definers to handle media work.

Specifically, I wanted to confirm the details of the contract — \$120,000 to handle media, which apparently was cheaper than the last deal?

But I also wanted to know if anyone at the EPA in any way directed Definers to look into EPA employees who might contradict the president's agenda?

Thank you, and my cell is [Personal Phone / Ex. 6]

--

Kathryn (Katie) Watson
Politics Reporter, CBS Digital

[Personal Phone / Ex. 6]

Twitter: [@kathrynw5](https://twitter.com/kathrynw5)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Press[Press@epa.gov]
From: Skolnik, Samuel
Sent: Tue 12/19/2017 7:36:13 PM
Subject: RE: Time-sensitive questions from Bloomberg Government

Hi Jahan – A couple follow-up questions:

- What was the name of the additional vendor that responded?
- Why did EPA decide to go with Definers instead of this second company?

Thanks,
Sam Skolnik

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 19, 2017 2:10 PM
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Bloomberg Government

Direct: (202) 416-3328

Personal Phone / Ex. 6 (On Fridays, please call my Cell)

sskolnik@bgov.com

@samskolnik

To: Kathryn Watson[kathryn.watson@cbsinteractive.com]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Sat 12/16/2017 5:47:30 PM
Subject: Re: Reaching out re NYT story + decision to hire Definers

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--

Kathryn (Katie) Watson
Politics Reporter, [CBS Digital](#)
Personal Phone / Ex. 6
Twitter: [@kathrynw5](#)

To: Kathryn Watson[kathryn.watson@cbsinteractive.com]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Sat 12/16/2017 5:46:44 PM
Subject: Re: Reaching out re NYT story + decision to hire Definers

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Thank you, and my cell is Personal Phone / Ex. 6

--

Kathryn (Katie) Watson
Politics Reporter, CBS Digital

Personal Phone / Ex. 6

Twitter: @kathrynw5

To: Friedman, Lisa[lisa.friedman@nytimes.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 9:32:18 PM
Subject: Re: apologies for all the back and forth

Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services.

This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient.

If you have questions regarding how Definers operates, we encourage you to contact them.

> On Dec 15, 2017, at 3:09 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:
>
> But a few more things were just brought to my attention that require a few more questions.
>
> America Rising, which as you know shares top leadership with Definers Corp., has filed more than 200 FOIAs with EPA since 2015. Most recently they have requested information, including emails and other data, about a number of EPA employees - including many who have spoken out publicly against the agency like Betsy Southerland, Michael Cox and John O'Grady.
>
> Can you please offer me a comment on whether EPA believes it is appropriate to hire a firm that shares ownership with an organization that has investigated its employees?
>
> Thank you
> Lisa
>
> --
> Lisa Friedman
> Reporter, New York Times
> (202) 862-0306 office
> Personal Phone / Ex. 6
>

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Press[Press@epa.gov]
From: Lisa Friedman
Sent: Fri 12/15/2017 7:29:14 PM
Subject: Re: Follow up question on MJ story

And the name of the other vendor?
And the contract please?

Lisa Friedman
Reporter, The New York Times
202-862-0306 office
Personal Phone / Ex. 6
Lisa.Friedman@nytimes.com
Twitter: @LFFriedman

On Dec 15, 2017, at 1:41 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

From: Lisa Friedman [<mailto:lisa.friedman@nytimes.com>]
Sent: Friday, December 15, 2017 10:21 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Follow up question on MJ story

And why was this a no-bid contract when other companies perform the same service?

Lisa Friedman
Reporter, The New York Times
202-862-0306 office

Personal Phone / Ex. 6
Lisa.Friedman@nytimes.com
Twitter: @LFFriedman

On Dec 15, 2017, at 10:20 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

From: Lisa Friedman [<mailto:lisa.friedman@nytimes.com>]
Sent: Friday, December 15, 2017 10:15 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Follow up question on MJ story

Hello,

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Secondly - were there any issues with Bulletin that caused EPA to switch providers for this service?

Third, as there are clearly other companies that perform this work – – like the one EPA had previously contracted with – – can you please provide an explanation of why this was a no-bid contract.

Thank you,
Lisa

Lisa Friedman
Reporter, The New York Times
202-862-0306 office

Personal Phone / Ex. 6

Lisa.Friedman@nytimes.com

Twitter: @LFFriedman

To: Lisa Friedman[lisa.friedman@nytimes.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 6:41:25 PM
Subject: RE: Follow up question on MJ story

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

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Sent: Friday, December 15, 2017 10:21 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Follow up question on MJ story

And why was this a no-bid contract when other companies perform the same service?

Lisa Friedman
Reporter, The New York Times
[202-862-0306](tel:202-862-0306) office

Personal Phone / Ex. 6

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Sent: Friday, December 15, 2017 10:15 AM
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Cc: Press <Press@epa.gov>
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Personal Phone / Ex. 6

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Twitter: @LFFriedman

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Konkus, John[konkus.john@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Press[Press@epa.gov]
From: Jason Abbruzzese
Sent: Fri 12/15/2017 4:32:58 PM
Subject: Re: Mashable media inquiry on Definers Public Affairs and the EPA

Thanks!

On Fri, Dec 15, 2017 at 10:52 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

From: Jason Abbruzzese [mailto:jason@mashable.com]
Sent: Friday, December 15, 2017 10:49 AM
To: Konkus, John <konkus.john@epa.gov>; Press <Press@epa.gov>
Subject: Mashable media inquiry on Definers Public Affairs and the EPA

Greetings,

Jason Abbruzzese from Mashable here. I'm following up on the Mother Jones report that the EPA has been contracting Definers Public Affairs.

I'd love to know what kind of worker Definers has been doing for the EPA. Think someone could fill me in?

Cheers,

Jason

--

Jason Abbruzzese

News Editor

Personal Phone / Ex. 6

Mashable

@JasonAbbruzzese

--

Jason Abbruzzese
News Editor

Personal Phone / Ex. 6

Mashable
@JasonAbbruzzese

To: Jason Abbruzzese[jason@mashable.com]; Konkus, John[konkus.john@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:52:09 PM
Subject: RE: Mashable media inquiry on Definers Public Affairs and the EPA

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From: Jason Abbruzzese [mailto:jason@mashable.com]
Sent: Friday, December 15, 2017 10:49 AM
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Jason Abbruzzese
News Editor

Personal Phone / Ex. 6

Mashable
@JasonAbbruzzese

To: Friedman, Lisa[lisa.friedman@nytimes.com]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 5:41:41 PM
Subject: RE: well, then on a different subject...

“How we consume the news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Friedman, Lisa [mailto:lisa.friedman@nytimes.com]
Sent: Tuesday, December 19, 2017 12:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: well, then on a different subject...

Got a comment about Definers dropping out of the contract?

--

Lisa Friedman
Reporter, New York Times
(202) 862-0306 office
Personal Phone / Ex. 6

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Press[Press@epa.gov]
From: Lisa Friedman
Sent: Fri 12/15/2017 3:21:20 PM
Subject: Re: Follow up question on MJ story

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Twitter: @LFFriedman

To: Lisa Friedman[lisa.friedman@nytimes.com]; Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:20:07 PM
Subject: RE: Follow up question on MJ story

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

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From: Lisa Friedman
Sent: Fri 12/15/2017 3:15:03 PM
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Lisa.Friedman@nytimes.com
Twitter: @LFFriedman

To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Press[Press@epa.gov]
From: Kevin Bogardus
Sent: Tue 6/19/2018 10:07:00 PM
Subject: Re: Definers Corp. contract?

Gotcha, Mike. Many thanks. I will add this to my story. Thanks again and have a good night!
-Kevin

Sent from my iPhone

On Jun 19, 2018, at 5:44 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Hey Kevin you can attribute the statement below to an EPA spokesman.

"We will respond to the Senators through the proper channels." - **EPA spokesman**

From: Kevin Bogardus [<mailto:kbogardus@eenews.net>]
Sent: Tuesday, June 19, 2018 5:20 PM
To: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Press <Press@epa.gov>
Subject: Definers Corp. contract?

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a story about Sens. Whitehouse and Harris' letter to Administrator Pruitt about the Definers Corp. contract. Does EPA have any response to this letter?

Please get back to me as soon as possible. My deadline is 8 pm EST tonight but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus
E&E News reporter
kbogardus@eenews.net
202-446-0401 (p)
Personal Phone / Ex. 6
202-737-5299 (f)

Follow me [@KevinBogardus](#)

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

From: Davidson, Richard (Whitehouse) [mailto:Richard_Davidson@whitehouse.senate.gov]
Sent: Tuesday, June 19, 2018 4:24 PM
To: Davidson, Richard (Whitehouse) <Richard_Davidson@whitehouse.senate.gov>
Subject: RELEASE: Whitehouse, Harris Press Pruitt on EPA Political Appointees Steering No-Bid Contract to GOP Firm

FOR IMMEDIATE RELEASE

Contact:

Whitehouse, Harris Press Pruitt on EPA Political Appointees Steering No-Bid Contract to GOP Firm

Washington, DC – Senators Sheldon Whitehouse (D-RI) and Kamala Harris (D-CA) asked Environmental Protection Agency (EPA) head Scott Pruitt to explain why political appointees apparently initiated a no-bid, federal contract with Definers Public Affairs, a company that shares leadership, staff, and an address with America Rising, a political action committee that funded a campaign to confirm Pruitt as EPA Administrator.

The Senators point to EPA documents and Senate investigators' interviews with EPA staff that show it was President Trump's EPA beachhead team that canceled the contract with the previous media-monitoring vendor, and that it was EPA's public affairs team – many of them political appointees – that pointed career staff toward contracting with Definers. The Senators also note that the EPA's main justification for awarding the contract—that "Definers offers unique services"—appears to be based on information Definers itself provided to the EPA, and that a range of other vendors offer substantially similar services. The EPA's justification appears to be a pretext for avoiding competitive bidding for this contract, as well as the suggestion that career staff were told by political staff to hire Definers, it would appear that this contract may be a quid pro quo for America Rising's support of Pruitt's confirmation. Such a quid pro quo would violate federal contracting rules.

These issues demand answers, the Senators write.

"You recently gave an interview in which you stated that you 'care so much about taxpayer money,'" the Senators write. "EPA's decision to award a no-bid contract to a politically connected firm suggests precisely the opposite, and your slow and incomplete response to our inquiries in this matter further suggests that you continue to waste taxpayer money and are not being ethically compliant based on your numerous questionable agency expenditures."

Following revelations about the Definers contract and questions from Whitehouse and Harris, EPA canceled the \$120,000 contract in December.

America Rising and its affiliates have a long record of providing political support to Pruitt and his work at the EPA. [Documents](#) show America Rising, led by the same opposition research experts at Definers, has been combing EPA records for communications between EPA staff and the news media and Democratic members of Congress. The group coordinated a campaign to ease Scott Pruitt's confirmation as Administrator that included ads urging Senators to vote for his confirmation and a website, www.ConfirmPruitt.com (now defunct). America Rising also runs a website called the Need to Know Network that provides favorable coverage to Pruitt's work at the EPA.

Full text of the Senators' letter is below. A PDF copy is available [here](#).

Dear Administrator Pruitt:

We again write to you regarding the Environmental Protection Agency's decision to award a no-bid contract to Definers, a consulting firm that shares leadership staff, and office space with America Rising, a political action committee (PAC) which was active in supporting your confirmation as Environmental Protection Agency (EPA) Administrator. This contract is deeply concerning because it suggests a quid pro quo and would seem to violate the law, as outlined below.

On December 19, 2017, we first wrote to you inquiring about this contract with Definers for media clipping services. On April 27, 2018, EPA responded and your response included documents related to the now-cancelled Definers no-bid contract. On May 11, 2018, EPA staff attempted to answer questions from our staff

in a phone call regarding the documents provided in EPA's April 27 response. Despite these disclosures and discussions, key facts about this how this contract was awarded remain unknown.

I. How was Definers identified as the contractor of choice?

EPA provided one email chain related to the Definers contract; the first of these emails is dated November 2, 2017. While parts of these emails have been redacted, the first email in this chain mentions a "JOFOC" or Justification for Other than Full and Open Competition, indicating that EPA had already chosen a contractor. A November 13, 2017 email in the chain identifies Definers as the contractor.

Government contracts are not awarded without prior discussion and thorough deliberation, so we find it hard to believe that the first email mention of Definers at EPA occurred after Definers had already been chosen. "Definers" is a rarely used word, so it should be straightforward for your staff to obtain all emails in which Definers the company is mentioned.

During our May 11, 2018 phone call with EPA career staff, we were told that EPA's contract with Bulletin Intelligence was cancelled in early 2017 at the direction of President Trump's EPA beachhead team because it "wasn't meeting their needs." EPA career staff further advised us that your public affairs team first "made [them] aware" of Definers and its media clipping services. Career staff stated they were be unable to recall who on your team told them about Definers and what specific instructions they were given.

Documents provided (and not provided) by EPA and statements by career staff seem to indicate that the decision to hire Definers was driven by political appointees. Given the fact that Definers shares executives and leadership with America Rising, which bankrolled a campaign supporting your confirmation as EPA Administrator, a decision to steer a contract outside the typical contracting process to Definers would seem to violate Subpart 3.101-1 of the Federal Acquisition Regulation ("The general rule is to avoid strictly any conflict of interest or even the appearance of a conflict of interest in Government-contractor relationships") and Title 5 of the Code of Federal Regulations Section 2635.101(b)(8) ("Employees shall act impartially and not give preferential treatment to any private organization or individual").

II. Does Definers offer unique services that would justify EPA's decision to forego competitive bidding for this contract?

In our December 19 letter, we asked you to explain what "provision of the Federal Acquisition Regulation (FAR) authorized a no-bid contract for the type of services EPA procured from Definers." In EPA's April 27 response, Liz Bowman, your former Associate Administrator for the Office of Public Affairs, attempted to justify the no-bid nature of the Definers contract by writing that "Definers offers unique services" and "[EPA] was not aware of any other company that provided or had available this feature of real-time coverage for specific events."

Among the documents provided with EPA's April 27 response is a JOFOC dated November 29, 2017 (Attachment II). In this document, EPA lists the following "unique qualifications" that "require" the use of the only one responsible source exception to competitive bidding practices:

- Proprietary advanced search functions
- Standalone media clip database including perpetual retention so that information is always available regardless of email retention policies or other limitations of email platforms
- Ability to pre-load a customized Console with the issues, public figures, and news data relevant to customers, populated in real time
- Specially trained and experienced researchers to provide relevant and actionable analysis
- Digital and human analytics coverage throughout the day
- Media tags that are tailored to the customer's areas of interests, which allow for quick sorting and tracking of customized data streams
- Delivered through a proprietary web interface, which allows for email distribution as well.

Additionally, the JOFOC states that "[l]eading providers Cision [...], Bulletin Intelligence [...], and Critical Mention [...] do not provide the combined services sought by EPA's Office of Public Affairs." During the

May 11 call between our staffs, EPA career staff indicated they conducted a search to see if other companies offered media clipping services similar to Definers' services, particularly its claimed ability to provide clips in "near live-time," but determined they did not.

Our staff subsequently spoke with a representative from Cision, who explained that Cision gives clients the option of receiving email alerts every hour containing the latest stories of interest. Cision's clients may also log into their "my coverage" portal at any time to see the latest stories of interest; the portal is updated in close to real time. Cision's representative confirmed that it offers all of the functionalities listed in the JOFOC as "unique" to Definers.

Another company allegedly researched by EPA staff, Bulletin Intelligence, also appears to offer "near live-time" capabilities. According to its website, its dashboard provides links to "24/7 breaking news" of interest to its clients.^[1] Bulletin Intelligence's description of its services also seems to match most of the functionalities listed in the JOFOC as "unique" to Definers.

A third company allegedly researched by EPA staff, Critical Mention, claims that its clients can see coverage "one minute after it appears – more than 8 times faster than the industry standard" on an "all-in-one platform" that offers "real-time media monitoring."^[2] Its description of its services also seems to match most of the functionalities listed in the JOFOC as "unique" to Definers.

Moreover, a simple internet search identified several other similar companies that offer the services that the JOFOC claimed to be "unique" to Definers. These companies include Metro Monitor ("[r]eceive reports of your media coverage as it happens"^[3]) and Universal Information Services ("[r]eceive scheduled or near real-time e-mail notifications when your stories air"^[4]).

The JOFOC and the email chain suggest that EPA staff did little independent vetting of this contract, and instead relied upon Definers' own representations about its services. The JOFOC description of Definer's "unique qualifications" appears to have been copied almost verbatim from Definers' promotional materials. It is replete with words such as "proprietary" and "customers" that one would not expect to see in a description written by EPA staff. Under the section of the JOFOC titled "[o]ther facts supporting the use of other than full and open competition," EPA staff wrote:

"Definers Corp. states that no other service gives their clients the high level and comprehensive search functions that it offers through its customized Console. Clients have the ability to tailor their tags and tailor who from their teams sees those tags. The storage and search functions of the Console are something no other clip service provides because they do not have the Definers proprietary Console."

EPA staff also relied on Definers' representations with respect to the reasonableness of the services' cost. The JOFOC states that "the C[ontracting] O[fficer] has determined the cost to be fair and reasonable *based on information received from the contractor*" (emphasis added). An email dated November 13, 2017 further states that staff are "still waiting for a bit of information *from Definers* to complete the JOFOC" (emphasis added).

The availability of similar services from multiple companies and the acceptance at face value by EPA contracting staff of representations made by Definers in order to complete the JOFOC lead us to believe that EPA's proffered reasons for the no-bid contract with Definers were pretextual.

As such, we renew our request for answers to questions 1, 3, 4, 7, 9, and 10 from our December 19, 2017 letter as they have yet to be fully answered. While we appreciate EPA's willingness to have staff speak directly, we respectfully request that all EPA staff with full knowledge of the genesis of the Definers contract be made available to speak with our offices. We also renew our various requests for responsive documents. If there are no additional documents responsive to our original letter, we request that the appropriate official at EPA confirm that to us in writing and describe what search parameters have been used to make that determination.

Based upon the documents already provided and our May 11, 2018 discussion with career staff, we also request responses to the following additional questions:

1. Who on your team made career staff "aware" of Definers?

2. What was said to career staff in relation to Definers? Were they directed to hire Definers? If so, by whom?
3. Who made the decision to hire Definers under a no-bid contract? Please provide copies of any and all intra-agency communications relating to the decision not to use competitive bidding procedures for this contract.
4. Please explain how it is possible that the only emails we have been provided were written after Definers had already been chosen for the contract. Do no other emails mentioning Definers exist? If so, why were initial intra-agency discussions of this contract not memorialized in writing? Did anyone instruct career staff not to email about Definers? If other emails do exist, why have we not been provided them?
5. If it is your position that no one on your team instructed career staff to hire Definers, then what explains how the justification they provided for avoiding competitive bidding procedures does not appear to have any foundation in fact?

You recently gave an interview in which you stated that you “care so much about taxpayer money.”^[5] EPA’s decision to award a no-bid contract to a politically connected firm suggests precisely the opposite, and your slow and incomplete response to our inquiries in this matter further suggests that you continue to waste taxpayer money and are not being ethically compliant based on your numerous questionable agency expenditures. So that we may get to the bottom of this matter, we request that you respond by June 29, 2018 to our renewed questions on this matter.

###

^[1] News Analysis, Bulletin Intelligence, <http://www.bulletinintelligence.com/newsanalysis.aspx> (viewed on June 6, 2018)
^[2] Media Monitoring, Critical Mention, <http://www.criticalmention.com/media-monitoring/> (viewed on June 6, 2018).
^[3] Media Monitor Pro, Metro Monitor, <https://metromonitor.com/services/media-monitor-pro/> (viewed on June 6, 2018)
^[4] Services, Universal Information Services, <https://universal-info.com/services/> (viewed on June 6, 2018)
^[5] Kevin Bogardus, “Pruitt: ‘I care so much about taxpayer money,’” E&E News (May 31, 2018), https://www.eenews.net/greenwire/stories/1060083117/most_read

To: Daniell, Kelsi[daniell.kelsi@epa.gov]
Cc: Konkus, John[konkus.john@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Abboud, Michael
Sent: Tue 6/19/2018 9:27:17 PM
Subject: Re: EPA Definers Corp. contract

Deliberative Process / Ex. 5

Sent from my iPhone

On Jun 19, 2018, at 5:23 PM, Daniell, Kelsi <daniell.kelsi@epa.gov> wrote:

For situational awareness re Kevin's latest inquiry

Sent from my iPad

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Kevin Bogardus <kbogardus@eenews.net>
Date: May 24, 2018 at 11:32:27 AM EDT
To: "Abboud, Michael" <abboud.michael@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Daniell, Kelsi" <daniell.kelsi@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Lynn, Tricia" <lynn.tricia@epa.gov>, Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

Gotcha, Mike. Many thanks. Appreciate it.

-Kevin

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Thursday, May 24, 2018 11:23 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

On background I can confirm that both of your questions about Tricia Lynn and Nancy Grantham are correct.

From: Wilcox, Jahan
Sent: Thursday, May 24, 2018 11:08 AM
To: Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>
Subject: RE: EPA Definers Corp. contract

“The Definers contract was for news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.”
– EPA spokesman, Jahan Wilcox

From: Kevin Bogardus [<mailto:kbogardus@eenews.net>]

Sent: Thursday, May 24, 2018 11:02 AM

To: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>

Subject: EPA Definers Corp. contract

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a story about EPA's canceled contract with Definers Corp. I obtained contracting records under the Freedom of Information Act that shed more light on the contract (please see https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). I had a question about this, which is:

- Why did EPA sign this contract with Definers Corp.?

And I had a few fact-checking questions about this as well, which are:

- Nancy Grantham, as acting principal deputy associate administrator in EPA's Office of Public Affairs, is the top career official in EPA's OPA (please see page 58 of https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). Is that accurate?
- Tricia Lynn is a career employee in EPA's OPA (please page 21 of https://www.eenews.net/assets/2018/05/17/document_gw_02.pdf). Is that accurate?

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus

E&E News reporter

kbogardus@eenews.net

202-446-0401 (p)

Personal Phone / Ex. 6

202-737-5299 (f)

Follow me [@KevinBogardus](#)

E&E NEWS

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: McCluney, Lance[McCluney.Lance@epa.gov]; Benton, Michael[benton.michael@epa.gov]; Allen, Reginald[Allen.Reginald@epa.gov]; Hurt, Tiffany[Hurt.Tiffany@epa.gov]; White, Candace[White.Candace@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Sat 11/11/2017 5:02:51 PM
Subject: Re: opa budget info -- as discussed - thanks ng

Thanks Nancy.

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Personal Phone / Ex. 6

wooden-aguilar.helena@epa.gov

On Nov 11, 2017, at 9:58 AM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

<image001.gif>

Campaign Monitor software - \$1788 annually (need to work out how this is billed)

Definers Media Monitoring -- \$120,000 - \$240,000 * (\$120,000 in committed funds)

Cision Media Services – working to figure out what option year we are in; annual cost; collection from regions and HQ offices

Frames for hallways -- \$3500

RWA for wall repairs and hanging new photos -- \$20,000

Cubicle enlargement in 3407 -- \$1683

Challenge coins -- \$2500

Translation Services - \$60,000 (working with OGC/Lilian Dorka on next option years and funding)

SEE employee -- \$36,000 - contract expires 2/18

Administrator McCarthy portrait -- \$5000 (portrait, frame, plaque, hanging)

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: McCluney, Lance[McCluney.Lance@epa.gov]; Benton, Michael[benton.michael@epa.gov]; Allen, Reginald[Allen.Reginald@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Hurt, Tiffany[Hurt.Tiffany@epa.gov]; White, Candace[White.Candace@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Sat 11/11/2017 2:58:10 PM
Subject: FW: opa budget info -- as discussed - thanks ng

Campaign Monitor software - \$1788 annually (need to work out how this is billed)

Definers Media Monitoring -- \$120,000 - \$240,000 * (\$120,000 in committed funds)

Cision Media Services – working to figure out what option year we are in; annual cost; collection from regions and HQ offices

Frames for hallways -- \$3500

RWA for wall repairs and hanging new photos -- \$20,000

Cubicle enlargement in 3407 -- \$1683

Challenge coins -- \$2500

Translation Services - \$60,000 (working with OGC/Lilian Dorka on next option years and funding)

SEE employee -- \$36,000 - contract expires 2/18

Administrator McCarthy portrait -- \$5000 (portrait, frame, plaque, hanging)

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Quarles, Michael[Quarles.Michael@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Lesperance, Twanna[Lesperance.Twanna@epa.gov]
From: Grantham, Nancy
Sent: Mon 10/2/2017 1:08:39 PM
Subject: RE: Follow-up actions from today's SOD/AA meeting

Aside from politicals' travel, there may be one day trip to atlanta for emergency response comms

Re: FTE levels – Julia Ortiz is leaving to take a job in OCSPP. I have talked with Liz and we do not plan to backfill this position.

Cathy Milbourn has moved to OPEEE from OMR and we do not plan to backfill that position.

I need to talk with Liz about the OMR Director position as I do not believe we need to backfill that, pending George getting another permanent position.

In terms of contracts, I have spoken with Michael Quarles about the Campaign Monitor software that is currently month to month. We are going to make it a longer term contract – we have spoken to OEI and James Howard – and Michael is figuring out whether it can be on the same PR.

For the Definers news clip pr/contract, they are now registered on SAM, so that contract is moving forward.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Allen, Reginald
Sent: Tuesday, September 26, 2017 5:07 PM
To: AO Staff Office Directors and AA's <AO_Staff_Office_Directors_and_AAs@epa.gov>
Cc: Fraser, Scott <Fraser.Scott@epa.gov>
Subject: Follow-up actions from today's SOD/AA meeting
Importance: High

Teammates,

Thank you all for your strong attendance during today's session. I'm following up with some asks that were presented and others that came up during the discussion.

There are four action items **due by this Friday, Sep 29:**

1. Your office's Mission Measures (on the attached form)
2. FMFIA assurance letter as a pdf (cc Lance McCluney and Michael Benton)
3. Updates for:
 - FTE levels
 - Travel plans through Dec 31
 - Contract needs through Dec 31
4. Mandatory training completed for all AO employees

Here are documents to assist you:

1. Today's presentation (attached)
2. AO Mission Measures template (attached)
3. Updated AO calendar for SES Performance Management Process (forthcoming)
4. [OAES Functions Chart](#)
5. WE Telework Survey

- [Telework Survey Responses](#)
- [2017 AO Telework Survey Questions](#)
- [Presentation from SOD/AA Meeting on September 26](#)

To assist with the mandatory training requirement, look for an email from Melissa Johnson sent on Friday, the 22nd. It includes a list of those in your organization who have yet to complete a mandatory training session. My team has also been following up with folks individually, but your push to meet this agency deadline is greatly appreciated.

Please let me know if you have any additional questions or comments regarding today's discussion.

Reggie

Reginald E. Allen

Acting Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Lesperance, Twanna[Lesperance.Twanna@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]
From: Quarles, Michael
Sent: Mon 11/13/2017 6:55:57 PM
Subject: RE: opa budget info -- as discussed - thanks ng

Deliberative Process / Ex. 5

Hi Reggie,

Please see the attached requested information. I created a spreadsheet with 3 tabs that provide all the information needed. If

Deliberative Process / Ex. 5

Thank you.

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Allen, Reginald
Sent: Saturday, November 11, 2017 5:49 PM
To: Quarles, Michael <Quarles.Michael@epa.gov>
Cc: Lesperance, Twanna <Lesperance.Twanna@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: Fwd: opa budget info -- as discussed - thanks ng

FYI - action

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029

Personal Phone / Ex. 6

Begin forwarded message:

From: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Date: November 11, 2017 at 4:40:23 PM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Cc: "Allen, Reginald" <Allen.Reginald@epa.gov>
Subject: **Re: opa budget info -- as discussed - thanks ng**

Agreed Nancy.

Deliberative Process / Ex. 5

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Personal Phone / Ex. 6

wooden-aguilar.helena@epa.gov

On Nov 11, 2017, at 4:35 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Saturday, November 11, 2017 4:23 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Thanks Reggie,

As you know, I come from a regional RA's office (OPA a part of it), so understand things are not funded and the inherent challenges.

However, OPA is a service organization and most of the things listed are not discretionary.

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Allen, Reginald
Sent: Saturday, November 11, 2017 12:52 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; White, Candace <White.Candace@epa.gov>
Subject: Re: opa budget info -- as discussed - thanks ng

Thanks Nancy

Understand these are all priority items and as you know OPA is not funded for most of it so we'll have some tough decisions to make soon on how to fund all this.

Deliberative Process / Ex. 5

More to follow
Reggie

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Personal Phone / Ex. 6

On Nov 11, 2017, at 9:58 AM, Grantham, Nancy
<Grantham.Nancy@epa.gov> wrote:

<image001.gif>

Campaign Monitor software - \$1788 annually (need to work out how this is billed)

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Administrator McCarthy portrait -- \$5000 (portrait, frame, plaque, hanging)

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: McCluney, Lance[McCluney.Lance@epa.gov]; Benton, Michael[benton.michael@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Hurt, Tiffany[Hurt.Tiffany@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Sun 11/12/2017 11:41:59 PM
Subject: RE: opa budget info -- as discussed - thanks ng

Also ..

Deliberative Process / Ex. 5

thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Allen, Reginald
Sent: Saturday, November 11, 2017 12:52 PM
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Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; White, Candace <White.Candace@epa.gov>
Subject: Re: opa budget info -- as discussed - thanks ng

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Deliberative Process / Ex. 5

More to follow
Reggie

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Personal Phone / Ex. 6

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Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
From: Grantham, Nancy
Sent: Sun 11/12/2017 10:50:47 PM
Subject: RE: opa budget info -- as discussed - thanks ng

Thanks .

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

..thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Allen, Reginald
Sent: Sunday, November 12, 2017 12:37 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Roger all – I have a meeting Monday with Reggie on this and the space issue with OP

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Saturday, November 11, 2017 4:23 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Thanks Reggie,

As you know, I come from a regional RA’s office (OPA a part of it), so understand things are not funded and the inherent challenges.

However, OPA is a service organization and most of the things listed are not discretionary.

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs

US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Allen, Reginald

Sent: Saturday, November 11, 2017 12:52 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; White, Candace <White.Candace@epa.gov>

Subject: Re: opa budget info -- as discussed - thanks ng

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Deliberative Process / Ex. 5

More to follow

Reggie

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

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Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone / Ex. 6

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Allen, Reginald[Allen.Reginald@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Sat 11/11/2017 9:40:23 PM
Subject: Re: opa budget info -- as discussed - thanks ng

Agreed Nancy.

Deliberative Process / Ex. 5

Thanks!

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Personal Phone / Ex. 6
wooden-aguilar.helena@epa.gov

On Nov 11, 2017, at 4:35 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks

ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Saturday, November 11, 2017 4:23 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

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Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

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To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; White, Candace <White.Candace@epa.gov>

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Deliberative Process / Ex. 5

More to follow
Reggie

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Personal Phone / Ex. 6

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Sat 11/11/2017 9:35:03 PM
Subject: RE: opa budget info -- as discussed - thanks ng

Deliberative Process / Ex. 5	
Deliberative Process / Ex. 5	Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

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Deliberative Process / Ex. 5

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Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

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Deliberative Process / Ex. 5

More to follow
Reggie

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Personal Phone / Ex. 6

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Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Sat 11/11/2017 9:22:37 PM
Subject: RE: opa budget info -- as discussed - thanks ng

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Deliberative Process / Ex. 5

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

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U.S. Environmental Protection Agency
Office 202-564-0444
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Personal Phone / Ex. 6

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Sat 11/11/2017 6:01:20 PM
Subject: Re: opa budget info -- as discussed - thanks ng

Can we add this to the budget discussion I scheduled? I want to understand what the “tough decisions” are and be apart of that discussions. Especially when it comes to OPA, OCIR, and OPA.
I would prefer to be briefed which is why I have scheduled weekly meetings with you and Lance/Twana. As the Assistant DCOS I would like for our decisions to be congruent and with one voice. That to me is a true partnership of my role and my Assistant DCOS.

I still need your PD as I don't think I received it.

Thanks,

Helena

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)
Personal Phone / Ex. 6
wooden-aguilar.helena@epa.gov

On Nov 11, 2017, at 12:51 PM, Allen, Reginald <Allen.Reginald@epa.gov> wrote:

Thanks Nancy

Understand these are all priority items and as you know OPA is not funded for most of it so we'll have some tough decisions to make soon on how to fund all this.

Deliberative Process / Ex. 5

Reggie

Reginald E. Allen, SES
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U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: McCluney, Lance[McCluney.Lance@epa.gov]
Cc: Allen, Reginald[Allen.Reginald@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Benton, Michael[benton.michael@epa.gov]
From: Grantham, Nancy
Sent: Fri 11/17/2017 11:39:58 PM
Subject: Re: Update FW: opa budget info -- see Cision cost

Happy to meet on Monday thx ng

Sent from my iPhone

On Nov 17, 2017, at 6:10 PM, McCluney, Lance <McCluney.Lance@epa.gov> wrote:

Nancy,
Thank you for the update. Are all these items a must, I suspect they are? The \$20k for framing will be handled outside of OA.

Can you tell me what must be funded immediately?

Can we all sit down and talk on Monday? I have a few questions about a few of these items.

Thanks,
Lance

Sent from my iPhone

On Nov 17, 2017, at 5:57 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

Campaign Monitor software - \$1788 annually (need to work out how this is billed)

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Allen, Reginald[Allen.Reginald@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Benton, Michael[benton.michael@epa.gov]
From: McCluney, Lance
Sent: Fri 11/17/2017 11:10:58 PM
Subject: Re: Update FW: opa budget info -- see Cision cost

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US Environmental Protection Agency
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**Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)**

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]; Benton, Michael[benton.michael@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Fri 11/17/2017 10:57:07 PM
Subject: Update FW: opa budget info -- see Cision cost

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

To: Quarles, Michael[Quarles.Michael@epa.gov]
Cc: Allen, Reginald[Allen.Reginald@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Thur 11/16/2017 11:56:54 PM
Subject: Deliberative Process / Ex. 5

If Reggie is ok with it I would yes Deliberative Process / Ex. 5

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Personal Phone / Ex. 6

wooden-aguilar.helena@epa.gov

On Nov 16, 2017, at 5:29 PM, Quarles, Michael <Quarles.Michael@epa.gov> wrote:

Yes ma'am. Would you like for us to send it to the Staff Office Directors Group as a FYI?

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Wooden-Aguilar, Helena
Sent: Thursday, November 16, 2017 4:54 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Quarles, Michael <Quarles.Michael@epa.gov>
Subject: Deliberative Process / Ex. 5

Is there any way we can share the following document with the SOD's?

From: Allen, Reginald
Sent: Thursday, November 16, 2017 4:50 PM
To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Cc: Quarles, Michael <Quarles.Michael@epa.gov>
Subject: Deliberative Process / Ex. 5

As requested

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029

Personal Phone / Ex. 6

From: Quarles, Michael
Sent: Monday, November 13, 2017 1:56 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Lesperance, Twanna <Lesperance.Twanna@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Hi Reggie,

Please see the attached requested information. I created a spreadsheet with 3 tabs that provide all the information needed. Deliberative Process / Ex. 5

Thank you.

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Allen, Reginald
Sent: Saturday, November 11, 2017 5:49 PM
To: Quarles, Michael <Quarles.Michael@epa.gov>
Cc: Lesperance, Twanna <Lesperance.Twanna@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: Fwd: opa budget info -- as discussed - thanks ng

FYI - action

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office [202-564-0444](tel:202-564-0444)
Direct [202-564-1029](tel:202-564-1029)

Personal Phone / Ex. 6

Begin forwarded message:

From: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Date: November 11, 2017 at 4:40:23 PM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Cc: "Allen, Reginald" <Allen.Reginald@epa.gov>
Subject: Re: opa budget info -- as discussed - thanks ng

Agreed Nancy.

Reggie - Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Thanks!

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Personal Phone / Ex. 6

wooden-aguilar.helena@epa.gov

On Nov 11, 2017, at 4:35 PM, Grantham, Nancy
<Grantham.Nancy@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Saturday, November 11, 2017 4:23 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Grantham, Nancy
<Grantham.Nancy@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

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However, OPA is a service organization and most of the things
listed are not discretionary.

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Allen, Reginald
Sent: Saturday, November 11, 2017 12:52 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael

<benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; White, Candace <White.Candace@epa.gov>

Subject: Re: opa budget info -- as discussed - thanks ng

Thanks Nancy

Understand these are all priority items and as you know OPA is not funded for most of it so we'll have some tough decisions to make soon on how to fund all this.

Deliberative Process / Ex. 5

More to follow

Reggie

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Personal Phone / Ex. 6

On Nov 11, 2017, at 9:58 AM, Grantham, Nancy

<Grantham.Nancy@epa.gov> wrote:

<image001.gif>

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Administrator McCarthy portrait -- \$5000 (portrait, frame, plaque, hanging)

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone / Ex. 6

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Allen, Reginald[Allen.Reginald@epa.gov]
From: Quarles, Michael
Sent: Thur 11/16/2017 10:29:40 PM
Subject: Deliberative Process / Ex. 5

Yes ma'am. Would you like for us to send it to the Staff Office Directors Group as a FYI?

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Wooden-Aguilar, Helena
Sent: Thursday, November 16, 2017 4:54 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Quarles, Michael <Quarles.Michael@epa.gov>
Subject: Deliberative Process / Ex. 5

Is there any way we can share the following document with the SOD's?

From: Allen, Reginald
Sent: Thursday, November 16, 2017 4:50 PM
To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Cc: Quarles, Michael <Quarles.Michael@epa.gov>
Subject: SEE Roster

As requested

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Personal Phone / Ex. 6

From: Quarles, Michael
Sent: Monday, November 13, 2017 1:56 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Lesperance, Twanna <Lesperance.Twanna@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Hi Reggie,

Please see the attached requested information. I created a spreadsheet with 3 tabs that provide all the information needed. If
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Subject: Fwd: opa budget info -- as discussed - thanks ng

FYI - action

Reginald E. Allen, SES
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U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029

Personal Phone / Ex. 6

Begin forwarded message:

From: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Date: November 11, 2017 at 4:40:23 PM EST
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Agreed Nancy.

Deliberative Process / Ex. 5

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Personal Phone / Ex. 6

wooden-aguilar.helena@epa.gov

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Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Saturday, November 11, 2017 4:23 PM

To: Allen, Reginald <Allen.Reginald@epa.gov>

Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

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However, OPA is a service organization and most of the things listed are not discretionary.

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Allen, Reginald

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Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>;
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Thanks Nancy

Understand these are all priority items and as you know OPA is not funded for most of it so we'll have some tough decisions to make soon on how to fund all this.

Deliberative Process / Ex. 5

More to follow
Reggie

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**Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)**

Personal Phone / Ex. 6

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Quarles, Michael[Quarles.Michael@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Thur 11/16/2017 9:53:57 PM
Subject: RE: Deliberative Process / Ex. 5

Is there any way we can share the following document with the SOD's?

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Sent: Thursday, November 16, 2017 4:50 PM
To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
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As requested

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Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
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Direct 202-564-1029
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FYI - action

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Office 202-564-0444
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Deliberative Process / Ex. 5

Helena Wooden-Aguilar
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Office of the Administrator
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Reggie

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Personal Phone / Ex. 6

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

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Cc: Quarles, Michael[Quarles.Michael@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Thur 11/16/2017 9:50:20 PM
Subject: RE: Deliberative Process / Ex. 5

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As requested

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

More to follow
Reggie

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
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Personal Phone / Ex. 6

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**Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)**

Personal Phone / Ex. 6

To: McCluney, Lance[McCluney.Lance@epa.gov]; Smoot, Nicole[Smoot.Nicole@epa.gov]; Ellison, Mardiko[Ellison.Mardiko@epa.gov]
Cc: Allen, Reginald[Allen.Reginald@epa.gov]
From: Hull, George
Sent: Mon 7/24/2017 9:03:17 PM
Subject: FW: Sole Source Justification

+ Lance, Nicole and Mardiko. - George

From: Hull, George
Sent: Monday, July 24, 2017 4:55 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Subject: Sole Source Justification

Reggie,
Here is a sole source justification for the Definers Media Clips Service contract. Let me know if this works or you need more. – George

Justification for single source:

Deliberative Process / Ex. 5

To: Allen, Reginald[Allen.Reginald@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]
From: Quarles, Michael
Sent: Mon 7/24/2017 9:01:13 PM
Subject: RE: Sole Source Justification

Thank you sir.

Have a great day,

Michael G. Quarles
Grants and Contracts Coordinator
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Allen, Reginald
Sent: Monday, July 24, 2017 5:01 PM
To: McCluney, Lance <McCluney.Lance@epa.gov>; Quarles, Michael <Quarles.Michael@epa.gov>
Subject: FW: Sole Source Justification

FYI

Reginald E. Allen
Director, Administrative and Executive Services
Office of the Administrator
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029

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Justification for single source:

Deliberative Process / Ex. 5

To: Allen, Reginald[Allen.Reginald@epa.gov]
From: Hull, George
Sent: Mon 7/24/2017 8:55:09 PM
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George

Justification for single source:

Deliberative Process / Ex. 5

To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]; Smoot, Nicole[Smoot.Nicole@epa.gov]
From: Hull, George
Sent: Tue 7/11/2017 12:27:28 PM
Subject: Re: Created PR # OA-17-00132

Reggie,
I'll discuss with Liz and reach out to the six offices, today. - George

Sent from my iPhone

On Jul 11, 2017, at 8:11 AM, Allen, Reginald <Allen.Reginald@epa.gov> wrote:

George and Nancy
Two things

Deliberative Process / Ex. 5

Reggie

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Personal Phone / Ex. 6

Begin forwarded message:

From: "McCluney, Lance" <McCluney.Lance@epa.gov>
Date: July 11, 2017 at 7:14:27 AM EDT
To: "Allen, Reginald" <Allen.Reginald@epa.gov>
Cc: "Smoot, Nicole" <Smoot.Nicole@epa.gov>
Subject: RE: Created PR # OA-17-00132

Reggie,

Nicole has been instructed by Nancy Grantham to keep the PR moving for the media clips service that OPA is working on. Where are the funds for this coming from?

Thanks,
Lance

From: Smoot, Nicole
Sent: Tuesday, July 11, 2017 7:10 AM
To: McCluney, Lance <McCluney.Lance@epa.gov>
Subject: FW: Created PR # OA-17-00132

Where are they getting the funds for this PR. This is the PR from George

"Committed to Service and People"

Nicole V. Smoot

Management Analyst

Office of Administrative and Executive Services

Office of the Administrator

Room: 2432G William Jefferson Clinton North

Mail Code: 1104A

Phone: 202-564-0414

Fax: 202-564-2744

Email: smoot.nicole@epa.gov

From: Grantham, Nancy

Sent: Monday, July 10, 2017 2:48 PM

To: Legare, Pamela <Legare.Pamela@epa.gov>

Cc: Smoot, Nicole <Smoot.Nicole@epa.gov>; Hull, George <Hull.George@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>; Allen, Reginald <Allen.Reginald@epa.gov>

Subject: RE: Created PR # OA-17-00132

Reggie and I have spoken

Thanks ng

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone / Ex. 6

From: Legare, Pamela

Sent: Monday, July 10, 2017 2:34 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: Smoot, Nicole <Smoot.Nicole@epa.gov>; Hull, George <Hull.George@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>; Allen, Reginald <Allen.Reginald@epa.gov>

Subject: RE: Created PR # OA-17-00132

Hi Nancy,

Keith Stewart, OAM Division Director will serve as the initial point of contact. Also, I received a call from Reginal Allen who serves as the AO's Champion to OAM regarding acquisition related requirements and most importantly the prioritization of the AO's procurement actions. He indicated that he was unaware of this particular requirement so I would recommend that you reach out to him to discuss this requirement which has been identified as a priority. I have copied both Reginald and Keith on this email.

Pamela D. Legare, Deputy Director
Office of Acquisition Management (OAM)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW

Room # 61234
Mail Stop: 3801R
Washington, DC 20460
(202) 564-4310 (Phone)
Personal Phone / Ex. 6
(202) 565-2475 (FAX)
Email: legare.pamela@epa.gov

From: Grantham, Nancy
Sent: Monday, July 10, 2017 2:29 PM
To: Legare, Pamela <Legare.Pamela@epa.gov>
Cc: Smoot, Nicole <Smoot.Nicole@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: FW: Created PR # OA-17-00132

Hi Pam,

Following up on our conversation last week on newsclips – this is now in the EAS system and George Hull just routed it to Nicole Smoot in OA.

Can you let Nicole know who she should work with in OAM to keep this moving?

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Araujo, Javier
Sent: Monday, July 10, 2017 2:21 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Created PR # OA-17-00132

Nancy,
Per your request. Here is a copy of the PR that was prepared.
Javier

From: Grantham, Nancy
Sent: Monday, July 10, 2017 2:10 PM
To: Araujo, Javier <Araujo.Javier@epa.gov>
Cc: Hull, George <Hull.George@epa.gov>
Subject: RE: Created PR # OA-17-00132

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I am happy to make a pdf. copy of the documents and email them to you.

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Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
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To: Allen, Reginald[Allen.Reginald@epa.gov]
Cc: Smoot, Nicole[Smoot.Nicole@epa.gov]
From: McCluney, Lance
Sent: Tue 7/11/2017 11:14:27 AM
Subject: RE: Created PR # OA-17-00132

Reggie,

Nicole has been instructed by Nancy Grantham to keep the PR moving for the media clips service that OPA is working on. Where are the funds for this coming from?

Thanks,
Lance

From: Smoot, Nicole
Sent: Tuesday, July 11, 2017 7:10 AM
To: McCluney, Lance <McCluney.Lance@epa.gov>
Subject: FW: Created PR # OA-17-00132

Where are they getting the funds for this PR. This is the PR from George

“Committed to Service and People”
Nicole V. Smoot
Management Analyst
Office of Administrative and Executive Services
Office of the Administrator
Room: 2432G William Jefferson Clinton North
Mail Code: 1104A
Phone: 202-564-0414
Fax: 202-564-2744
Email: smoot.nicole@epa.gov

From: Grantham, Nancy
Sent: Monday, July 10, 2017 2:48 PM
To: Legare, Pamela <Legare.Pamela@epa.gov>
Cc: Smoot, Nicole <Smoot.Nicole@epa.gov>; Hull, George <Hull.George@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>; Allen, Reginald <Allen.Reginald@epa.gov>
Subject: RE: Created PR # OA-17-00132

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From: Legare, Pamela
Sent: Monday, July 10, 2017 2:34 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Smoot, Nicole <Smoot.Nicole@epa.gov>; Hull, George <Hull.George@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>; Allen, Reginald <Allen.Reginald@epa.gov>
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Hi Nancy,

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Pamela D. Legare, Deputy Director
Office of Acquisition Management (OAM)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Room # 61234
Mail Stop: 3801R
Washington, DC 20460
(202) 564-4310 (Phone)
Personal Phone / Ex. 6
(202) 565-2475 (FAX)
Email: legare.pamela@epa.gov

From: Grantham, Nancy
Sent: Monday, July 10, 2017 2:29 PM
To: Legare, Pamela <Legare.Pamela@epa.gov>
Cc: Smoot, Nicole <Smoot.Nicole@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: FW: Created PR # OA-17-00132

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From: Grantham, Nancy
Sent: Mon 7/10/2017 6:48:04 PM
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From: Legare, Pamela
Sent: Mon 7/10/2017 6:33:46 PM
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Cc: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Allen, Reginald[Allen.Reginald@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]
From: Quarles, Michael
Sent: Tue 12/19/2017 7:33:46 PM
Subject: RE: Definers

Hi Nancy,

Sorry for the delay. Thank you for your message once the funds are decommitted from Definers we can add them to a new PR for Cision. I will reach out to Rayna to coordinate the decommit.

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Grantham, Nancy
Sent: Tuesday, December 19, 2017 12:10 PM
To: Quarles, Michael <Quarles.Michael@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Allen, Reginald <Allen.Reginald@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Definers

There is an update to this – simultaneous with the bid protest, definers called me and asked that we terminate the contract at the convenience of the government - so we will not be dealing with the bid protest.

Once that is completed – we will need to do a pr to move the \$120k to our existing cision contract.

Donna Vizian has spoken with Kimberly Patrick on this and I have spoken with Keith Stewart.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Quarles, Michael
Sent: Tuesday, December 19, 2017 12:06 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Allen, Reginald <Allen.Reginald@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: Definers

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Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
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To: Quarles, Michael[Quarles.Michael@epa.gov]
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Cc: Allen, Reginald[Allen.Reginald@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]
From: Quarles, Michael
Sent: Wed 12/13/2017 7:22:16 PM
Subject: RE: SOW and Vendor Proposal

Yes, this was for Definers.

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Grantham, Nancy
Sent: Wednesday, December 13, 2017 2:16 PM
To: Quarles, Michael <Quarles.Michael@epa.gov>
Cc: Allen, Reginald <Allen.Reginald@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: RE: SOW and Vendor Proposal

Is this the final?

Nancy Grantham
Office of Public Affairs
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202-564-6879 (desk)
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From: Quarles, Michael
Sent: Thursday, December 07, 2017 2:12 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Allen, Reginald <Allen.Reginald@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: SOW and Vendor Proposal

Hello Nancy,

I have edited the SOW to streamline it. Please review and give direction if needed.

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

To: Hunt, Tracy[Hunt.Tracy@epa.gov]
Cc: Peppins, Felicia[Peppins.Felicia@epa.gov]; Lesperance, Twanna[Lesperance.Twanna@epa.gov]
From: Allen, Reginald
Sent: Mon 11/13/2017 12:06:09 AM
Subject: FW: opa budget info -- as discussed - thanks ng

FYI

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Cell Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Sunday, November 12, 2017 6:42 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Also ..

Positions vacant – not intending to fill:

Deliberative Process / Ex. 5

thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
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From: Allen, Reginald
Sent: Saturday, November 11, 2017 12:52 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; White, Candace <White.Candace@epa.gov>
Subject: Re: opa budget info -- as discussed - thanks ng

Thanks Nancy
Understand these are all priority items and as you know OPA is not funded for most of it so we'll have some tough decisions to make soon on how to fund all this.

Deliberative Process / Ex. 5

More to follow
Reggie

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Personal Phone / Ex. 6

On Nov 11, 2017, at 9:58 AM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

<image001.gif>

Campaign Monitor software - \$1788 annually (need to work out how this is billed)

Definers Media Monitoring -- \$120,000 - \$240,000 * (\$120,000 in committed funds)

Cision Media Services – working to figure out what option year we are in; annual cost; collection from regions and HQ offices

Frames for hallways -- \$3500

RWA for wall repairs and hanging new photos -- \$20,000

Cubicle enlargement in 3407 -- \$1683

Challenge coins -- \$2500

Translation Services - \$60,000 (working with OGC/Lilian Dorka on next option years and funding)

SEE employee -- \$36,000 - contract expires 2/18

Administrator McCarthy portrait -- \$5000 (portrait, frame, plaque, hanging)

Nancy Grantham

Office of Public Affairs

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Cc: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
From: Allen, Reginald
Sent: Sun 11/12/2017 10:59:34 PM
Subject: RE: opa budget info -- as discussed - thanks ng

Thanks Nancy

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Cell Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Sunday, November 12, 2017 5:51 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Thanks Deliberative Process / Ex. 5
Deliberative Process / Ex. 5.thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Allen, Reginald
Sent: Sunday, November 12, 2017 12:37 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Roger all – I have a meeting Monday with Reggie on this and the space issue with OP

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Cell Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Saturday, November 11, 2017 4:23 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Cc: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: opa budget info -- as discussed - thanks ng

Thanks Reggie,

As you know, I come from a regional RA’s office (OPA a part of it), so understand things are not funded and the inherent challenges.

However, OPA is a service organization and most of the things listed are not discretionary.

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Allen, Reginald

Sent: Saturday, November 11, 2017 12:52 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>; White, Candace <White.Candace@epa.gov>

Subject: Re: opa budget info -- as discussed - thanks ng

Thanks Nancy

Understand these are all priority items and as you know OPA is not funded for most of it so we'll have some tough decisions to make soon on how to fund all this.

Deliberative Process / Ex. 5

More to follow

Reggie

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Cell/ **Personal Phone / Ex. 6**

On Nov 11, 2017, at 9:58 AM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

<image001.gif>

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Administrator McCarthy portrait -- \$5000 (portrait, frame, plaque, hanging)

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6 **(mobile)**

Cc: Lesperance, Twanna[Lesperance.Twanna@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]
To: Quarles, Michael[Quarles.Michael@epa.gov]
From: Allen, Reginald
Sent: Sat 11/11/2017 10:49:15 PM
Subject: Fwd: opa budget info -- as discussed - thanks ng

FYI - action

Reginald E. Allen, SES
Assistant Deputy Chief of Staff
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Cell Personal Phone / Ex. 6
Begin forwarded message:

From: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Date: November 11, 2017 at 4:40:23 PM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Cc: "Allen, Reginald" <Allen.Reginald@epa.gov>
Subject: Re: opa budget info -- as discussed - thanks ng

Agreed Nancy.
Reggie Deliberative Process / Ex. 5
Deliberative Process / Ex. 5 Thanks!

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)
Personal Phone / Ex. 6 (mobile)
wooden-aguilar.helena@epa.gov

On Nov 11, 2017, at 4:35 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6 (mobile)

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Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>;
Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>;
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Office of Public Affairs
US Environmental Protection Agency
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Personal Phone / Ex. 6 (mobile)

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Cc: McCluney, Lance[McCluney.Lance@epa.gov]; Benton, Michael[benton.michael@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Hurt, Tiffany[Hurt.Tiffany@epa.gov]; White, Candace[White.Candace@epa.gov]
From: Allen, Reginald
Sent: Sat 11/11/2017 5:51:53 PM
Subject: Re: opa budget info -- as discussed - thanks ng

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6 **(mobile)**

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
Cc: Quarles, Michael[Quarles.Michael@epa.gov]
From: Allen, Reginald
Sent: Thur 11/16/2017 9:50:02 PM
Subject: Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

As requested

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Cell Personal Phone / Ex. 6

From: Quarles, Michael

Sent: Monday, November 13, 2017 1:56 PM

To: Allen, Reginald <Allen.Reginald@epa.gov>

Cc: Lesperance, Twanna <Lesperance.Twanna@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>

Subject: RE: opa budget info -- as discussed - thanks ng

Hi Reggie,

Please see the attached requested information.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thank you.

Have a great day,

Michael G. Quarles

Acquisitions and Assistance Manager

Office of Administrative and Executive Services

US Environmental Protection Agency

1200 Pennsylvania Ave. NW

Washington, DC 20460

Mail Code 6202A

(202) 343-9970

From: Allen, Reginald

Sent: Saturday, November 11, 2017 5:49 PM

To: Quarles, Michael <Quarles.Michael@epa.gov>

Cc: Lesperance, Twanna <Lesperance.Twanna@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>

Subject: Fwd: opa budget info -- as discussed - thanks ng

FYI - action

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Cell Personal Phone / Ex. 6

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Agreed Nancy.

Reggie -

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks!

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)
Personal Phone / Ex. 6 (mobile)
wooden-aguilar.helena@epa.gov

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Deliberative Process / Ex. 5

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US Environmental Protection Agency
202-564-6879 (desk)
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US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6 (mobile)

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Cc: McCluney, Lance <McCluney.Lance@epa.gov>; Benton, Michael <benton.michael@epa.gov>;
Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Hurt, Tiffany <Hurt.Tiffany@epa.gov>;
White, Candace <White.Candace@epa.gov>

Subject: Re: opa budget info -- as discussed - thanks ng

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Understand these are all priority items and as you know OPA is not funded for most of it so we'll have some tough decisions to make soon on how to fund all this.

Deliberative Process / Ex. 5

More to follow

Reggie

Reginald E. Allen, SES

Assistant Deputy Chief of Staff

U.S. Environmental Protection Agency

Office 202-564-0444

Direct 202-564-1029

Cell Personal Phone / Ex. 6

On Nov 11, 2017, at 9:58 AM, Grantham, Nancy
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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6 **(mobile)**

To: McCluney, Lance[McCluney.Lance@epa.gov]; Quarles, Michael[Quarles.Michael@epa.gov]
From: Allen, Reginald
Sent: Mon 7/24/2017 9:00:32 PM
Subject: FW: Sole Source Justification

FYI

Reginald E. Allen
Director, Administrative and Executive Services
Office of the Administrator
U.S. Environmental Protection Agency
Office 202-564-0444
Direct 202-564-1029
Cell Personal Phone / Ex. 6

From: Hull, George
Sent: Monday, July 24, 2017 4:55 PM
To: Allen, Reginald <Allen.Reginald@epa.gov>
Subject: Sole Source Justification

Reggie,
Here is a sole source justification for the Definers Media Clips Service contract. Let me know if this works or you need more. –
George

Justification for single source:

Deliberative Process / Ex. 5

To: Araujo, Javier[Araujo.Javier@epa.gov]
Cc: Tanner, Lee[Tanner.Lee@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]
From: Milbourn, Cathy
Sent: Tue 8/7/2018 2:55:24 PM
Subject: RE: Weekly Report Friendly reminder
[OEE WEEKLY REPORT.docx7-19.docx](#)

Here's our weekly update

From: Araujo, Javier
Sent: Tuesday, August 7, 2018 10:21 AM
To: Milbourn, Cathy <Milbourn.Cathy@epa.gov>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>
Subject: RE: Weekly Report Friendly reminder

Cathy,
Here is a sample of a weekly that I submitted.

Javier

From: Milbourn, Cathy
Sent: Tuesday, August 07, 2018 10:17 AM
To: Tanner, Lee <Tanner.Lee@epa.gov>; Araujo, Javier <Araujo.Javier@epa.gov>
Subject: RE: Weekly Report Friendly reminder

Lee, Could you please send me the format for the weekly, its been a while since I have submitted anything.

Thanks,

Cathy

From: Tanner, Lee
Sent: Monday, August 6, 2018 11:29 AM
To: Milbourn, Cathy <Milbourn.Cathy@epa.gov>
Subject: Weekly Report Friendly reminder

Hi Cathy,

Please send me the weekly for OPE when you get a chance.

Regards,

Lee

Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Tel: 202.564.4988


WEEKLY REPORT

NAME: Javier Araujo

DATES FOR THIS REPORT: 7-12--2018 thru 7-19-2018

PROGRAMS/RESPONSIBILITIES: Designate Federal Officer (DFO) for the NEEAC, Contracts manager, PEYA/PIAEE co-program manager, Cesar Chavez Public Policy Charter School internship program supervisor.

UPDATE ON PROGRAMS AND ACCOMPLISHMENTS FOR THE WEEK

- Provide an update on program tasks and accomplishments

- **Personal Matters / Ex. 6**
- Conference call with Jewel Wallace (lotus notes representative) per our conversation she will create a ticket that will verify that I have a LN license. Once she gets a response from LN license team then she will help me update my lotus notes profile.
- Conference call with Cathy McGirl (tetra-tech) regarding upcoming request to re-work the PIAEE/PEYA ceremony portal. Received edits to PIAEE/PEYA portal and begun the review process.
- Participated in scheduled CFDA webinar to learn new updates to the GSA, CFDA SAM template. Took notes and shared with Karen Scott and Ginger Potter.
- Conference call with Jessica Orquina (Director of Office of Web Communications) regarding an initial discovery inquiry from the OPA attorney Ryan Yaeger regarding the Definers' contract.
- Contacted Bob Hansen at DOC regarding a tour of the Herbert Hoover Auditorium for Emily, Ted and Christina.
- Responded to two inquiries regarding announcement of PIAEE winners and honorable mentions.
- Provided contractor representative Cathy McGirl (tetra-tech) and Chris Bachman (tetra-tech) the updates and suggested changes to the PIAEE/PEYA web portal as suggested by Emily Selia and myself.
- Received first tetra-tech invoice from EMS. I confirmed with Megan Quinn (CO) that I am still authorized to pay these invoices. She indicated that I should pay them upon review. I was not able to log in to the easy lite system to pay the invoice. I requested access to Easy Lite and was told that I had been dropped from the system. Mr. Clint Thomason reinstated my access to the Easy Lite system. I tried to pay the invoice and the invoice is still not visible on the Easy Lite system.

In addition to this discussion, please provide information on the following as it relates to your programs where/when applicable:

- BUDGET: Items and/or actions related to funding

- Include information on:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

■ .

- MANGEMENT REQUESTS: Items requiring management or senior management input or approval

- Confirm who will sign the honorable mention PEYA/PIAEE Certificates (Tate, Administrator)? Needed in the next two weeks?

- ANTICIPATED SCHEDULE for Upcoming Week

- No anticipated deviations from current work schedule
- PEYA/PIAEE Weekly event planning meeting

SUGGESTION BOX:

- Summer ice cream and lemonade social.? We should plan a summer ice cream and lemonade social for OPEEE to celebrate the summer before our interns leave.

Office of Public Engagement

Outreach to stakeholders on Air Trends Report

Outreach and Conference call with the AA for OAR and stakeholders on fuel economy standards for model year 2021-2026 Vehicles, 90 participants on the call

Provided embargoed news releases from key automobile industry trade associations, the Auto Alliance and the Global Automobile Manufacturers.

Outreach to stakeholders on commemorating the 40th anniversary of Love Canal, a tragedy that spurred a law to clean up hazardous waste and give voice to communities across the country

Provided information to stakeholders on EPA's PFAS Community Engagement Events Throughout the Country

To: Tanner, Lee[Tanner.Lee@epa.gov]
Cc: Whittington, Paula[Whittington.Paula@epa.gov]
From: Araujo, Javier
Sent: Thur 7/19/2018 8:48:30 PM
Subject: Weekly accomplishments report for 7-19-2018
[OEE WEEKLY REPORT.docx7-19.docx](#)

Lee,

Here is my weekly accomplishments report.

Javier

Javier H. Araujo, MPPM
U.S. Environmental Protection Agency
Office of Environmental Education
Environmental Education Specialist
Designated Federal Officer (NEEAC)
MC 1704A, Washington, DC 20460
202-564-2642 (phone)

Personal Phone / Ex. 6

202-564-2753 (fax)
Araujo.javier@epa.gov

WEEKLY REPORT

NAME: Javier Araujo

DATES FOR THIS REPORT: 7-12--2018 thru 7-19-2018

PROGRAMS/RESPONSIBILITIES: Designate Federal Officer (DFO) for the NEEAC, Contracts manager, PEYA/PIAEE co-program manager, Cesar Chavez Public Policy Charter School internship program supervisor.

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Deliberative Process / Ex. 5

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Javier H. Araujo, MPPM
U.S. Environmental Protection Agency
Office of Environmental Education
Environmental Education Specialist
Designated Federal Officer (NEEAC)
MC 1704A, Washington, DC 20460
202-564-2642 (phone)

Personal Phone / Ex. 6

 (cell)
202-564-2753 (fax)
Araujo.javier@epa.gov

WEEKLY REPORT

NAME: Javier Araujo

DATES FOR THIS REPORT: 7-12--2018 thru 7-19-2018

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Deliberative Process / Ex. 5

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To: Valentine, Julia[Valentine.Julia@epa.gov]; Yaeger, Ryan[Yaeger.Ryan@epa.gov]
Cc: Araujo, Javier[Araujo.Javier@epa.gov]
From: Orquina, Jessica
Sent: Wed 7/18/2018 1:21:21 PM
Subject: RE: George Hall?

That's correct. Here's contact info for both of them:

Javier: araujo.javier@epa.gov or 202-564-2642
Reggie: Allen.Reginald@epa.gov or EPA cell Personal Phone / Ex. 6

Jess

Jessica Ann Orquina, Director
Office of Web Communications
U.S. Environmental Protection Agency
Email: orquina.jessica@epa.gov
Office: 202-564-0446
Mobile: Personal Phone / Ex. 6

From: Valentine, Julia
Sent: Wednesday, July 18, 2018 9:15 AM
To: Yaeger, Ryan <Yaeger.Ryan@epa.gov>
Cc: Orquina, Jessica <Orquina.Jessica@epa.gov>
Subject: Re: George Hall?

Ha! Happy to help. Adding Jess since she gave the info about Javier.

Reginald Allen - was director of OEAS now on one year detail to GMU. You can get him on his EPA email and cell.

Javier Araujo — Jessica said he is still here, works in OEE.

I know that when George was away last summer he asked me to get in touch w the head of Definers. We tried to set up a time and had one brief convo and then George picked it up when he got back. Beyond that. I was present for many meetings with George and Ron and a few with Nancy and Tricia.

Julia P. Valentine
EPA Office of Public Affairs
202.564.2663
On Jul 18, 2018, at 9:01 AM, Yaeger, Ryan <Yaeger.Ryan@epa.gov> wrote:

Reginald Allen
Javier Araujo

To: Araujo, Javier[Araujo.Javier@epa.gov]
From: Grantham, Nancy
Sent: Mon 7/10/2017 6:23:43 PM
Subject: RE: Created PR # OA-17-00132

Thanks much

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Araujo, Javier
Sent: Monday, July 10, 2017 2:21 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Created PR # OA-17-00132

Nancy,
Per your request. Here is a copy of the PR that was prepared.
Javier

From: Grantham, Nancy
Sent: Monday, July 10, 2017 2:10 PM
To: Araujo, Javier <Araujo.Javier@epa.gov>
Cc: Hull, George <Hull.George@epa.gov>
Subject: RE: Created PR # OA-17-00132

Thanks much

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Araujo, Javier
Sent: Monday, July 10, 2017 2:09 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Hull, George <Hull.George@epa.gov>
Subject: RE: Created PR # OA-17-00132

Nancy,
I tried to add your name to the routing list for a courtesy copy. The EAS system did not have your name as a person on the route.
I am happy to make a pdf. copy of the documents and email them to you.

Javier

From: Grantham, Nancy
Sent: Monday, July 10, 2017 2:06 PM
To: Araujo, Javier <Araujo.Javier@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Created PR # OA-17-00132

All .. could I get a copy of the pr .. I would take a pdf ... want to share it and the statement of work and the definers document with folks I was working with in oarm.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Araujo, Javier
Sent: Monday, July 10, 2017 2:04 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Created PR # OA-17-00132

George,

I have created the PR. It has been routed to you for review.

Requisition PR-OA-17-00132 is currently in progress

Javier

From: Hull, George
Sent: Monday, July 10, 2017 12:50 PM
To: Araujo, Javier <Araujo.Javier@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Revised Statement of Work

Javier,

Please find attached a revised Statement of Work for the media clips service PR. Can you please add this to the PR. Complete the PR and enter into the system. Please let Nancy Grantham and me know when it is in the system and the PR number that has been assigned. Thanks, George

To: Araujo, Javier[Araujo.Javier@epa.gov]
Cc: Hull, George[Hull.George@epa.gov]
From: Grantham, Nancy
Sent: Mon 7/10/2017 6:09:47 PM
Subject: RE: Created PR # OA-17-00132

Thanks much

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

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Javier

Sent: Monday, July 10, 2017 12:50 PM

To: Araujo, Javier <Araujo.Javier@epa.gov>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Revised Statement of Work

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To: Araujo, Javier[Araujo.Javier@epa.gov]; Hull, George[Hull.George@epa.gov]
From: Grantham, Nancy
Sent: Mon 7/10/2017 6:05:32 PM
Subject: RE: Created PR # OA-17-00132

All .. could I get a copy of the pr .. I would take a pdf ... want to share it and the statement of work and the definers document with folks I was working with in oarm.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Araujo, Javier
Sent: Monday, July 10, 2017 2:04 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Created PR # OA-17-00132

George,

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Javier

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To: Araujo, Javier[Araujo.Javier@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Hull, George
Sent: Fri 7/7/2017 3:26:17 PM
Subject: Media Clips Contract
[image2017-03-07-161912.pdf](#)
[5.22.17 Definers EPA Monitoring Proposal.pdf](#)

Javier,
Per our discussion, please find attached the contract from our previous media clips service. I've also attached the proposal from the vendor.

I appreciate your help in moving this forward.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

To: Milbourn, Cathy[Milbourn.Cathy@epa.gov]
Cc: Tanner, Lee[Tanner.Lee@epa.gov]
From: Araujo, Javier
Sent: Tue 8/7/2018 2:20:48 PM
Subject: RE: Weekly Report Friendly reminder
[OEE WEEKLY REPORT.docx7-19.docx](#)

Cathy,
Here is a sample of a weekly that I submitted.

Javier

From: Milbourn, Cathy
Sent: Tuesday, August 07, 2018 10:17 AM
To: Tanner, Lee <Tanner.Lee@epa.gov>; Araujo, Javier <Araujo.Javier@epa.gov>
Subject: RE: Weekly Report Friendly reminder

Lee, Could you please send me the format for the weekly, its been a while since I have submitted anything.

Thanks,

Cathy

From: Tanner, Lee
Sent: Monday, August 6, 2018 11:29 AM
To: Milbourn, Cathy <Milbourn.Cathy@epa.gov>
Subject: Weekly Report Friendly reminder

Hi Cathy,

Please send me the weekly for OPE when you get a chance.

Regards,

Lee

Lee Tanner
Acting Chief of Staff,
Office of Public Engagement and Environmental Education
U.S. EPA Office of the Administrator
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Tel: 202.564.4988
Cell:

Personal Phone / Ex. 6

WEEKLY REPORT

NAME: Javier Araujo

DATES FOR THIS REPORT: 7-12--2018 thru 7-19-2018

PROGRAMS/RESPONSIBILITIES: Designate Federal Officer (DFO) for the NEEAC, Contracts manager, PEYA/PIAEE co-program manager, Cesar Chavez Public Policy Charter School internship program supervisor.

UPDATE ON PROGRAMS AND ACCOMPLISHMENTS FOR THE WEEK

- Provide an update on program tasks and accomplishments

- **Personal Matters / Ex. 6**
- Conference call with Jewel Wallace (lotus notes representative) per our conversation she will create a ticket that will verify that I have a LN license. Once she gets a response from LN license team then she will help me update my lotus notes profile.
- Conference call with Cathy McGirl (tetra-tech) regarding upcoming request to re-work the PIAEE/PEYA ceremony portal. Received edits to PIAEE/PEYA portal and begun the review process.
- Participated in scheduled CFDA webinar to learn new updates to the GSA, CFDA SAM template. Took notes and shared with Karen Scott and Ginger Potter.
- Conference call with Jessica Orquina (Director of Office of Web Communications) regarding an initial discovery inquiry from the OPA attorney Ryan Yaeger regarding the Definers' contract.
- Contacted Bob Hansen at DOC regarding a tour of the Herbert Hoover Auditorium for Emily, Ted and Christina.
- Responded to two inquiries regarding announcement of PIAEE winners and honorable mentions.
- Provided contractor representative Cathy McGirl (tetra-tech) and Chris Bachman (tetra-tech) the updates and suggested changes to the PIAEE/PEYA web portal as suggested by Emily Selia and myself.
- Received first tetra-tech invoice from EMS. I confirmed with Megan Quinn (CO) that I am still authorized to pay these invoices. She indicated that I should pay them upon review. I was not able to log in to the easy lite system to pay the invoice. I requested access to Easy Lite and was told that I had been dropped from the system. Mr. Clint Thomason reinstated my access to the Easy Lite system. I tried to pay the invoice and the invoice is still not visible on the Easy Lite system.

In addition to this discussion, please provide information on the following as it relates to your programs where/when applicable:

- BUDGET: Items and/or actions related to funding

- Include information on: **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

■ .

- MANGEMENT REQUESTS: Items requiring management or senior management input or approval

- Confirm who will sign the honorable mention PEYA/PIAEE Certificates (Tate, Administrator)? Needed in the next two weeks?

- ANTICIPATED SCHEDULE for Upcoming Week

- No anticipated deviations from current work schedule
- PEYA/PIAEE Weekly event planning meeting

SUGGESTION BOX:

- Summer ice cream and lemonade social.? We should plan a summer ice cream and lemonade social for OPEEE to celebrate the summer before our interns leave.

To: Tanner, Lee[Tanner.Lee@epa.gov]
Cc: Whittington, Paula[Whittington.Paula@epa.gov]
From: Araujo, Javier
Sent: Thur 7/19/2018 8:48:31 PM
Subject: Weekly accomplishments report for 7-19-2018
[OEE WEEKLY REPORT.docx7-19.docx](#)

Lee,

Here is my weekly accomplishments report.

Javier

Javier H. Araujo, MPPM
U.S. Environmental Protection Agency
Office of Environmental Education
Environmental Education Specialist
Designated Federal Officer (NEEAC)
MC 1704A, Washington, DC 20460
202-564-2642 (phone)

Personal Phone / Ex. 6

 (cell)
202-564-2753 (fax)
Araujo.javier@epa.gov

WEEKLY REPORT

NAME: Javier Araujo

DATES FOR THIS REPORT: 7-12--2018 thru 7-19-2018

PROGRAMS/RESPONSIBILITIES: Designate Federal Officer (DFO) for the NEEAC, Contracts manager, PEYA/PIAEE co-program manager, Cesar Chavez Public Policy Charter School internship program supervisor.

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Deliberative Process / Ex. 5

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- PEYA/PIAEE Weekly event planning meeting

SUGGESTION BOX:

- Summer ice cream and lemonade social.? We should plan a summer ice cream and lemonade social for OPEEE to celebrate the summer before our interns leave.

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Araujo, Javier
Sent: Mon 7/10/2017 6:21:01 PM
Subject: RE: Created PR # OA-17-00132
DefinersMediaMonitoringServicesPR-OA-17-00132.pdf

Nancy,
Per your request. Here is a copy of the PR that was prepared.
Javier

From: Grantham, Nancy
Sent: Monday, July 10, 2017 2:10 PM
To: Araujo, Javier <Araujo.Javier@epa.gov>
Cc: Hull, George <Hull.George@epa.gov>
Subject: RE: Created PR # OA-17-00132

Thanks much

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6 (mobile)

From: Araujo, Javier
Sent: Monday, July 10, 2017 2:09 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Hull, George <Hull.George@epa.gov>
Subject: RE: Created PR # OA-17-00132

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To: Araujo, Javier <Araujo.Javier@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: RE: Created PR # OA-17-00132

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Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6 (mobile)

From: Araujo, Javier
Sent: Monday, July 10, 2017 2:04 PM
To: Hull, George <Hull.George@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Created PR # OA-17-00132

George,

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Requisition PR-OA-17-00132 is currently in progress

Javier

From: Hull, George

Sent: Monday, July 10, 2017 12:50 PM

To: Araujo, Javier <Araujo.Javier@epa.gov>

Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Revised Statement of Work

Javier,

Please find attached a revised Statement of Work for the media clips service PR. Can you please add this to the PR. Complete the PR and enter into the system. Please let Nancy Grantham and me know when it is in the system and the PR number that has been assigned. Thanks, George

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Hull, George[Hull.George@epa.gov]
Bcc: Brennan, Thomas[Brennan.Thomas@epa.gov]
From: Araujo, Javier
Sent: Mon 7/10/2017 6:09:19 PM
Subject: RE: Created PR # OA-17-00132

Nancy,
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From: Burton, Tamika
Sent: Fri 6/29/2018 8:44:45 PM
Subject: Weekly report 6.29.2018
[6.29.2018.pdf](#)
[Weekly Report 6.29.2018.docx](#)

Good Afternoon,
Please find the Weekly Report for the week ending 6.29.2018.

Have a great weekend!

Tamika Burton
Staff Assistant to the Deputy Administrator
Immediate Office of the Administrator
MC 1104A Room 3412 WJC North
(202) 564-4771 (d)

Personal Phone / Ex. 6 (c)

burton.tamika@epa.gov



DATE: May 24, 2018

FROM: Seth Buchsbaum, Attorney-Advisor

RE: **Attorney Client / Ex. 5**

Attorney Work Product / Ex. 5

Attorney Work Product / Ex. 5

Attorney Work Product / Ex. 5

Attorney Work Product / Ex. 5

Attorney Work Product / Ex. 5

Attorney Work Product / Ex. 5

Attorney Work Product / Ex. 5

Attorney Work Product / Ex. 5

V. Case Attorney

The lead case attorney to whom all questions should be directed is:

Seth Buchsbaum

Attorney-Advisor, Office of General Counsel, Information Law Practice Group

United States Environmental Protection Agency

202-564-2484

Buchsbaum.seth@epa.gov

Attorney Work Product / Ex. 5

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Thur 3/8/2018 3:26:40 PM
Subject: IG LEAKS - 4

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt’s office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courier-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency’s own employees?

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

Personal Phone / Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions:
www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

“There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here.” -- Mark Twain, 1906

“I go with Custer and will be at the death.” – AP reporter Mark Kellogg’s final dispatch from the Battle of the Little Bighorn, 1876

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To: Greaves, Holly[greaves.holly@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 6:08:54 PM
Subject: APPROVAL: Holly,

I'm just going to say this:

Deliberative Process / Ex. 5

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 12:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Are your comments below off the record or can I quote you on any of them? You have them in quotes with your name attached. I would like to quote a couple of those answers. Also, I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief Financial Officer. Can you confirm this for me?

I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 6:26 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Questions about EPA morale

Peter –

Off-the-record, in regards to budget proposals would just remind you that this morning the Senate passed a two-year budget that will fund the government. Rather than leaving the tea leaves of proposals, believe your readers would like to know the action that Congress has taken, which includes passing a budget that again funds the entire government for the next two years.

- **Today, Friday, February 9, 2018, Congress Passed A Budget That Will Fund The Government For The Next Two Years.** "After a temporary lapse in government funding that lasted through the night, Congress passed a pricey two-year spending deal early Friday that will also fund the government for an additional six weeks. The government temporarily closed after Congress failed to pass a government funding bill before a midnight deadline due to the objections of one senator, shutting down non-essential government services. In the end, a bipartisan cohort of lawmakers supported the \$400 billion agreement. Shortly after 1:30 a.m. ET, the Senate voted, 71-28, to approve a two-year spending bill that would reopen the government, and the House passed it at 5:30 a.m. with the support of 240 members. Trump tweeted Wednesday morning that he had signed the bill, officially ending the brief shutdown." ([NBC News](#), 02/09/18)

Additionally, **below are some on-the-record responses** to your questions. Some of these answers took a while to find and we hope that you will be able to use as much as possible.

Jahan

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Wednesday, February 7, 2018 3:54 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

The folks I've talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

- **"From Administrator Pruitt's focus on cleaning up toxic Superfund sites, his leadership during the government shutdown that kept the agency open and paid every employee, to EPA's Region 9 where just 11 employees took an early retirement and nearly a quarter of the employees are working despite being eligible to retire, morale is great at EPA."** – EPA spokesman, Jahan Wilcox

Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words "climate change" were scrubbed from contracts and grants, a form of censorship.

- **"Administrator Pruitt has placed a renewed focused on cleaning up toxic Superfund sites. We are reviewing every grant and 99.84 percent of all grants have been awarded."** – EPA spokesman, Jahan Wilcox

Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.

- **"Administrator Pruitt is proud to streamline regulations, which is creating regulatory certainty."** – EPA spokesman, Jahan Wilcox

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- **"We don't discuss who have been or not been interviewed for the Region 9 Administrator or any other position. The Administration is carefully considering many highly qualified candidates for Region 9 and will announce another great regional administrator soon."** – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]

Sent: Wednesday, February 07, 2018 12:26 PM

To: Fimrite, Peter <PFimrite@sfchronicle.com>

Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan
Sent: Wednesday, February 7, 2018 3:20 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>; Press <Press@epa.gov>
Subject: RE: Questions about EPA morale

Will handle.

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]
Sent: Wednesday, February 7, 2018 2:36 PM
To: Press <Press@epa.gov>
Subject: Questions about EPA morale

I'm working on a story about all the changes occurring at the EPA and the effect it has had on employees in the various regions, particularly region 9. I was hoping for a comment from the administration or a spokesman. Please call me at 415-777-8454.

Peter Fimrite
Staff Writer
San Francisco Chronicle
Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com
Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Greaves, Holly[greaves.holly@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 6:01:38 PM
Subject: FW: Questions about EPA morale

Have a question for you Holly which I will come up for.

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 12:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Are your comments below off the record or can I quote you on any of them? You have them in quotes with your name attached. I would like to quote a couple of those answers. Also, I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief Financial Officer. Can you confirm this for me?

I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 6:26 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Questions about EPA morale

Peter –

Off-the-record, in regards to budget proposals would just remind you that this morning the Senate passed a two-year budget that will fund the government. Rather than leaving the tea leaves of proposals, believe your readers would like to know the action that Congress has taken, which includes passing a budget that again funds the entire government for the next two years.

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Additionally, **below are some on-the-record responses** to your questions. Some of these answers took a while to find and we hope that you will be able to use as much as possible.

Jahan

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Wednesday, February 7, 2018 3:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

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early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

- **“From Administrator Pruitt’s focus on cleaning up toxic Superfund sites, his leadership during the government shutdown that kept the agency open and paid every employee, to EPA’s Region 9 where just 11 employees took an early retirement and nearly a quarter of the employees are working despite being eligible to retire, morale is great at EPA.”** – EPA spokesman, Jahan Wilcox

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Work Email: wilcox.jahan@epa.gov

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Staff Writer

San Francisco Chronicle

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Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Fimrite, Peter[PFimrite@sfchronicle.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
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Peter Fimrite
Staff Writer
San Francisco Chronicle
Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

To: Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Wilcox, Jahan
Sent: Thur 2/8/2018 10:18:06 PM
Subject: APPROVAL: SF Chron / Employee Morale

Ryan –

The San Francisco Chronicle is doing a story on employee morale and why we don’t have a regional head, etc. Honestly only 11 employees in Region 9 took the early retirement and a quarter are working past their retirement, so clearly morale has never been higher. Below are the questions and suggested responses.

The folks I’ve talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Jahan Wilcox

EPA

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Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Biesecker, Michael[MBiesecker@ap.org]; Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 6:05:08 PM
Subject: RE: Julie and Michael -

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, December 19, 2017 1:02 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Julie and Michael -

Definers says its contract with EPA has been canceled. Do you wish to update Jahan’s statement from yesterday?

“Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them.” – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 5:10 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Adding Julie Pace, again. We have answered your questions with the following on-the-record statements.

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA’s Protective Service Detail.” – EPA spokesman, Jahan Wilcox

“Please ask your source, who apparently has access to the database of EPA’s expenditures.” – EPA spokesman, Jahan Wilcox

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To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

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To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
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Jahan,

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records. Please provide the details of the spending to which you refer. Otherwise, we will be left to say we couldn't immediately verify the charge you claim. Could you at least provide the date, amount and contractor so we can try to check it out?

Also, just to clarify, is it you on-the-record contention that Pruitt in no way requested the bug sweep, but that this was an independent decision made solely by the EPA Protective Service Detail? Can you say concretely whether the administrator was even aware of the decision?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

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"Please ask your source, who apparently has access to the database of EPA's expenditures." – EPA spokesman, Jahan Wilcox

Thanks,

Michael

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To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courier-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

Personal Phone / Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions:
www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." -- Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

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Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

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concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

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"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

[Public Key](#)

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Washington, D.C. 20005-4076

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Pace, Julie[JPace@ap.org]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Biesecker, Michael
Sent: Mon 12/18/2017 6:27:06 PM
Subject: RE: Julie and Michael -

Jahan,

Again, we are willing to include the details of the similar spending under Lisa Jackson, but we don't have immediate access to EPA's records. Please provide the details of the spending to which you refer. Otherwise, we will be left to say we couldn't immediately verify the charge you claim. Could you at least provide the date, amount and contractor so we can try to check it out?

Also, just to clarify, is it you on-the-record contention that Pruitt in no way requested the bug sweep, but that this was an independent decision made solely by the EPA Protective Service Detail? Can you say concretely whether the administrator was even aware of the decision?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 1:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
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Cc: Bowman, Liz <Bowman.Liz@epa.gov>
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To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

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To: Pace, Julie[JPace@ap.org]; Biesecker, Michael[MBiesecker@ap.org]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 6:15:34 PM
Subject: RE: Julie and Michael -

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From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 1:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
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To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
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Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

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Sent: Mon 12/18/2017 6:05:16 PM
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Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 5:41:26 PM
Subject: RE: Julie and Michael -

One more quote ...

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Monday, December 18, 2017 12:29 PM
To: 'Pace, Julie' <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>
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Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 5:28:55 PM
Subject: Julie and Michael -

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]
From: Biesecker, Michael
Sent: Mon 12/18/2017 4:47:02 PM
Subject: Bug sweeping, biometric locks

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Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 10:10:11 PM
Subject: RE: Julie and Michael -

Adding Julie Pace, again. We have answered your questions with the following on-the-record statements.

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA’s Protective Service Detail.” – EPA spokesman, Jahan Wilcox

“Please ask your source, who apparently has access to the database of EPA’s expenditures.” – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 5:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Also confirming that you decline to comment on the specific questions in yellow below ...

From: Biesecker, Michael
Sent: Monday, December 18, 2017 1:27 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Jahan,

Again, we are willing to include the details of the similar spending under Lisa Jackson, but we don’t have immediate access to EPA’s records. Please provide the details of the spending to which you refer. Otherwise, we will be left to say we couldn’t immediately verify the charge you claim. Could you at least provide the date, amount and contractor so we can try to check it out?

Also, just to clarify, is it you on-the-record contention that Pruitt in no way requested the bug sweep, but that this was an independent decision made solely by the EPA Protective Service Detail? Can you say concretely whether the administrator was even aware of the decision?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

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Sent: Monday, December 18, 2017 1:05 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

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Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt's physical security?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

Also, we have not seen and, depending on the amount, don't have access to what was spent on a bug sweep under Lisa Jackson, but I'm interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

"Please ask your source, who apparently has access to the database of EPA's expenditures." – EPA spokesman, Jahan Wilcox

Thanks,

Michael

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]

Sent: Monday, December 18, 2017 12:29 PM

To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]

Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in counter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from

journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them.” – EPA spokesman, Jahan Wilcox

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

Personal Phone / Ex. 6

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www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

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“I go with Custer and will be at the death.” – AP reporter Mark Kellogg’s final dispatch from the Battle of the Little Bighorn, 1876

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Biesecker, Michael
Sent: Mon 12/18/2017 10:05:23 PM
Subject: RE: Julie and Michael -

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Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Fri 12/15/2017 6:36:07 PM
Subject: FW: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

Jahan,

Here is a statement based on my conversation with the Office of Acquisition Management.

Thanks ng

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6 (mobile)

From: D'Andrea, Michael
Sent: Friday, December 15, 2017 10:17 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fwd: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

Sent from my iPhone
Begin forwarded message:

From: "Seneca, Roy" <Seneca.Roy@epa.gov>
Date: December 15, 2017 at 10:07:08 AM EST
To: "D'Andrea, Michael" <DANDREA.MICHAEL@EPA.GOV>, "White, Terri-A" <White.Terri-A@epa.gov>, "schafer, joan" <schafer.joan@epa.gov>, "Sternberg, David" <Sternberg.David@epa.gov>, "Wzorek, Katherine" <wzorek.katherine@epa.gov>, "Smith, Bonnie" <smith.bonnie@epa.gov>, "Smith, William (Region 3)" <smith.william@epa.gov>, "McIlwain, Jaclyn" <Mcilwain.Jaclyn@epa.gov>, "Miles, Amanda" <miles.amanda@epa.gov>, "Hamilton, Brian" <Hamilton.Brian@epa.gov>, "Zieba, Kyle" <Zieba.Kyle@epa.gov>, "Brown, Kinshasa" <Brown.Kinshasa@epa.gov>, "Ferrell, Mark" <Ferrell.Mark@epa.gov>
Subject: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

<http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/#>

The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

It promises "war room" style media monitoring.

Using taxpayer dollars, the Environmental Protection Agency has hired a cutting-edge Republican PR firm that specializes in digging up opposition research to help Administrator Scott Pruitt's office track and shape press coverage of the agency.

According to federal contracting records, earlier this month Pruitt's office inked a no-bid \$120,000 contract with Definers Corp., a Virginia-based public relations firm founded by Matt Rhoades, who managed Mitt Romney's 2012 presidential campaign. Following Romney's defeat, Rhoades established America Rising, an ostensibly independent political action committee that works closely with the Republican National Committee and Republican candidates to mine damning information on opponents. Other higher-ups at Definers include former RNC research director Joe Pounder, who's been described as "a master of opposition research," and senior vice president Colin Reed, an oppo-research guru billed as "among the leaders of the war on [Sen. Elizabeth] Warren."

This for-profit consulting firm offers a variety of public relations services such as digital strategy, political consulting, and media relations. According to its website, Definers' clients include Fortune 500 corporations, political groups, and nonprofits. In the past, both Marco Rubio and John McCain used their services, and since the 2016 election so has Rep. Diane Black (R-Tenn.). The client list for America Rising includes the RNC, Republican candidates, such as Sen. Pat Toomey (R-Penn.), and super-PACs such as the Mitch McConnell-linked Senate Leadership Fund and Karl Rove's American Crossroads.

The company also specializes in using the press and social media to "validate your narrative." According to the company's website, one of the tools to help do this is its "Definers Console" media-tracking technology. Reed said his firm contracted with Pruitt's office at the EPA, which is the first governmental client to pay for the Definers Console. The technology promises "war room" style media monitoring, analysis and advice, according to marketing materials. A brochure for the Console assures users that they will be able to "monitor for potential crises, as well as to track their message dissemination, relevant responses to their messaging, and what competitors' actions have been."

Besides monitoring media, users will get analysis and input from their employees whose experience in political campaigns and the business world helps create a unique approach "to intelligence gathering and opposition work. This experience informs the way we gather, synthesize, and disseminate information."

"Definers has been contracted to provide media monitoring services through our Console by the EPA," Reed says. "We provide the same service to a number of corporate and non-profit organizations."

In response to *Mother Jones*' questions about the Definers contract, EPA spokesperson Nancy Grantham said, "The Definers contract is for media monitoring/newsclip compilation." To a question on how the contract came about, she said: "The contract award was handled through the EPA Office of Acquisition Management."

USASpending.gov, a website that tracks federal spending, shows that in early 2016 the EPA signed a \$207,000 contract with a firm called Bulletin Intelligence, requesting similar services. Bulletin is owned by public relations giant Cision, a well-known international PR firm. According to OpenSecrets.org's expenditure data, Bulletin is not political and has not done any recent work for any candidates or PACs. The contract expired in February.

Definers also recently launched a new venture with the global law firm Dentons, which describes itself as combining "political intelligence, legal advisors, campaign-style tactics, lobbying, governmental affairs, research, and communications into one unique offering" to help clients.

The career of at least one of Pruitt's staffers has overlapped with the Republican operatives at Definers. Jahan Wilcox, who previously worked for Marco Rubio's presidential campaign and in rapid response for the Republican National Committee, is now a spokesperson for the EPA.

Wilcox, along with other political staff in Pruitt's EPA press shop, has had some contentious interactions with the press. In one case, when Eric Lipton from *The New York Times* was confirming facts for an investigation

into the EPA's industry-friendly approach to chemical regulation, EPA spokesperson Liz Bowman diverted the discussion to other outlets' reporting rather than confirming his questions. Wilcox added, "If you want to steal work from other outlets and pretend like it's your own reporting that is your decision."

On another occasion, shortly after the *Associated Press* reported on the Superfund sites affected by Hurricane Harvey, the EPA went after one of the bylined reporters in a statement, and an unnamed official later admitted to removing one of the bylined *AP* reporters from the agency's press list, saying, "We don't think he's a trustworthy reporter." When Pruitt has faced criticism, the EPA highlights friendlier stories from conservative outlets—including *Breitbart*.

Pruitt has come under fire for a general lack of transparency at the EPA. The latest example is his trip promoting natural gas in Morocco. The public learned of his travels when his office posted a media release, causing confusion over why the EPA would not notify reporters ahead of time. This means that information on Pruitt's activities in Morocco will be restricted to the EPA's own spin.

The EPA's work with groups affiliated with Pounder predate this contract. On a handful of occasions, the EPA has promoted positive coverage of Pruitt's actions from the news-aggregation website Need To Know Network. Earlier this year, the website wrote a series of stories designed shed positive light on the controversial administrator. In one story, the site describes Pruitt as "busy racking up accomplishments that both protect Americans and save millions in taxpayer dollars." Another congratulated Pruitt for moving ahead with plans to open Alaska's Bristol Bay to mining, writing it was "a move that will prove to be a massive job creator for President Trump and Pruitt."

The Need to Know Network was started by Pounder and other operatives connected to America Rising and Definers Corp.

To: Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Lyons, Troy[lyons.troy@epa.gov]
From: Ringel, Aaron
Sent: Wed 2/7/2018 3:38:37 PM
Subject: E&C Pallone QFR on Definers Contract

Liz/Troy,

Ranking Member Pallone asked for a copy of the contract with Definers along with the scope of work in his questions for the record after the Administrators 12/7 hearing (question/response below).

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

33. PALLONE: Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

Deliberative Process / Ex. 5

Aaron E. Ringel
Deputy Associate Administrator
Office of Congressional & Intergovernmental Relations
U.S. Environmental Protection Agency

W: 202.564.4373
Ringel.Aaron@epa.gov

To: John Siciliano[jsiciliano@washingtonexaminer.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 4:27:32 PM

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

Jahan Wilcox

EPA

Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Lisa Friedman[lisa.friedman@nytimes.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:48:40 PM
Subject: RE: Follow up question on MJ story

Checking with the folks in the office of acquisition management.

From: Lisa Friedman [mailto:lisa.friedman@nytimes.com]
Sent: Friday, December 15, 2017 10:21 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Follow up question on MJ story

And why was this a no-bid contract when other companies perform the same service?

Lisa Friedman
Reporter, The New York Times
202-862-0306 office

Personal Phone / Ex. 6 cell
Lisa.Friedman@nytimes.com
Twitter: @LFFriedman

On Dec 15, 2017, at 10:20 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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From: Lisa Friedman [mailto:lisa.friedman@nytimes.com]
Sent: Friday, December 15, 2017 10:15 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
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Hello,
Can you please provide a comment about why the news compilation that Definers has been hired to do can not be performed in house?

Secondly - were there any issues with Bulletin that caused EPA to switch providers for this service?

Third, as there are clearly other companies that perform this work – – like the one EPA had previously contracted with – – can you please provide an explanation of why this was a no-bid contract.

Thank you,
Lisa

Lisa Friedman
Reporter, The New York Times
202-862-0306 office

Personal Phone / Ex. 6

} cell

Lisa.Friedman@nytimes.com

Twitter: @LFFriedman

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Grantham, Nancy
Sent: Fri 12/15/2017 3:43:33 PM
Subject: RE: Follow up question on MJ story

Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6 (mobile)

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Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
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Deliberative Process / Ex. 5

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Twitter: @LFFriedman

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Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:40:31 PM
Subject: FW: Follow up question on MJ story

Deliberative Process / Ex. 5

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Sent: Friday, December 15, 2017 10:21 AM
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Third, as there are clearly other companies that perform this work – – like the one EPA had previously contracted with – – can you please provide an explanation of why this was a no-bid contract.

Thank you,
Lisa

Lisa Friedman

Reporter, The New York Times
202-862-0306 office

Personal Phone / Ex. 6 cell

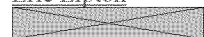
Lisa.Friedman@nytimes.com

Twitter: @LFFriedman

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Lisa Friedman[lisa.friedman@nytimes.com]
From: Lipton, Eric
Sent: Wed 12/20/2017 11:14:25 PM
Subject: Re: Question about FOIA responses here

Thanks for this response.
I appreciate it.

Eric Lipton



Washington Bureau

202 862 0448 office

Personal Phone / Ex. 6

lipton@nytimes.com

On Wed, Dec 20, 2017 at 3:09 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

According to the document you provided, the average time for a simple request to be filled is 18 days. Of these 17 requests, 16 were simple and 8 have been closed.

From: Lipton, Eric [mailto:lipton@nytimes.com]

Sent: Tuesday, December 19, 2017 3:46 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Lisa Friedman <lisa.friedman@nytimes.com>

Subject: Re: Question about FOIA responses here

Here are the requests from Allan

Getting you comparative data on FOIA responses in general

Eric Lipton



Washington Bureau

202 862 0448 office

Personal Phone / Ex. 6

lipton@nytimes.com

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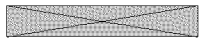
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Thanks in advance for your help. A response this afternoon is needed.

Eric

Eric Lipton



Washington Bureau

202 862 0448 office

Personal Phone / Ex. 6

lipton@nytimes.com

To: Joe Pounder[jpounder@definerscorp.com]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Wed 10/18/2017 8:13:51 PM
Subject: RE: Definers -- Clips

Guys we've been working on this since June. I don't know if the problem is with Definers or EPA but let's get this done, asap. No more delays.

From: Wilcox, Jahan
Sent: Thursday, September 28, 2017 6:27 PM
To: Joe Pounder <jpounder@definerscorp.com>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Definers -- Clips

Great. Adding Nancy and Liz.

On Sep 28, 2017, at 4:11 PM, Joe Pounder <jpounder@definerscorp.com> wrote:

We're fully registered...

<Screen Shot 2017-09-28 at 4.23.59 PM.png>

On Thu, Sep 28, 2017 at 3:29 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

From: Grantham, Nancy
Sent: Thursday, September 28, 2017 3:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Definers -- Clips

HI –

Working with contracts on this – here is the remaining issue that the contracting officer brought to me yesterday --

Specifically, the vendor is not registered in the System for Award Management (SAM). In order for any vendor to receive a contract from the federal government, they must be registered in this system. The vendor seems to be reluctant to register.

George had been working with the vendor on this. I have a call into the vendor as they may need assistance in completing the forms.

Will update you as soon as I hear from the vendor.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Wilcox, Jahan

Sent: Thursday, September 28, 2017 3:02 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Definers -- Clips
Importance: High

Where are we on this and when can we get this going? Today is a day where we could really use their help capturing clips in real time. This is very important and our wait and the process to do this has been way too long. Thank you!

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

--

Joe Pounder
jpounder@definercorp.com
571-290-5460

To: Joe Pounder[jpounder@definerscorp.com]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Thur 9/28/2017 10:27:21 PM
Subject: Re: Definers -- Clips

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EPA

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Work Email: wilcox.jahan@epa.gov

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Eric Lipton



Washington Bureau
202 862 0448 office

Personal Phone / Ex. 6
lipton@nytimes.com

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3) Why did Allan Blutstein get such fast turnaround on his FOIAs. Was it based on any kind of favoritism?

Thanks in advance for your help. A response this afternoon is needed.

Eric

Eric Lipton



Washington Bureau

202 862 0448 office

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lipton@nytimes.com

To: Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Lisa Friedman[lisa.friedman@nytimes.com]
From: Lipton, Eric
Sent: Tue 12/19/2017 9:18:34 PM
Subject: Re: One other question re Definers

I did not realize you had already addressed this point with Lisa on the record.
So we are all set re this question of disadvantaged status matter.

Eric

Eric Lipton



Washington Bureau
202 862 0448 office

Personal Phone / Ex. 6

lipton@nytimes.com

On Tue, Dec 19, 2017 at 4:09 PM, Lipton, Eric <lipton@nytimes.com> wrote:

Hi Liz and Jahan

In applying for the contract, Definers listed itself as a small disadvantaged business.
Only after the contract was awarded, did it revise this filing
Is this a discrepancy that EPA intends to pursue?

System for Award Management – Definers Corp., 8/31/17
[System for Award Management – Definers Corp., 12/16/17]

Improperly listing one's status is a violation of federal law.

15 U.S. Code § 645, “(1) Whoever misrepresents the status of any concern or person as a ‘small business concern’, a ‘qualified HUBZone small business concern’, a ‘small business concern owned and controlled by socially and economically disadvantaged individuals’, or a ‘small business concern owned and controlled by women’, in order to obtain for oneself or another any—(A) prime contract to be awarded pursuant to section 638, 644, or 657a of this title [...] shall be subject to the penalties and remedies described in paragraph (2). (2)Any person who violates paragraph (1) shall— (A) be punished by a fine of not more than \$500,000 or by imprisonment for not more than 10 years, or both.” [15 U.S. Code § 645]

Can you let me know if this is something the EPA intends to pursue?

Thanks again

ERIC

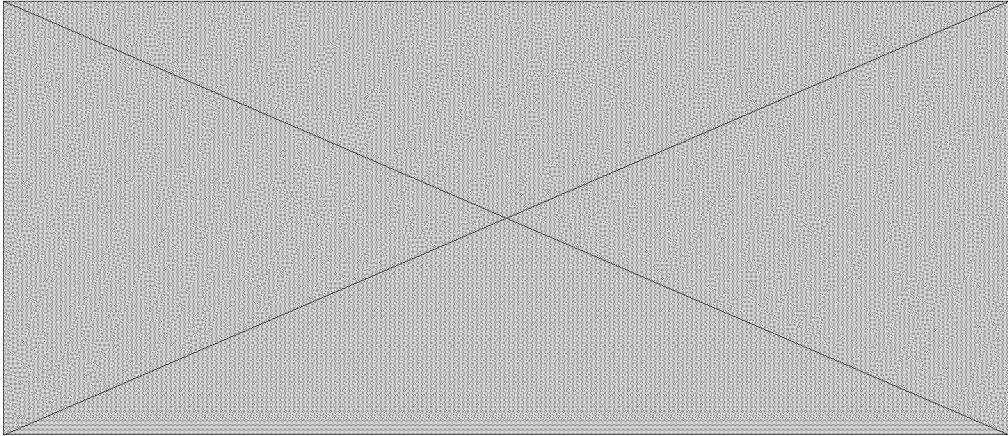
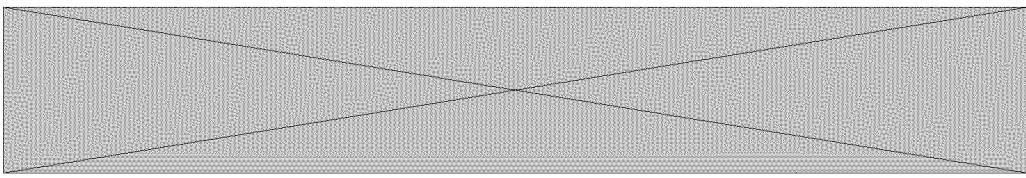
Eric Lipton



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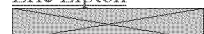
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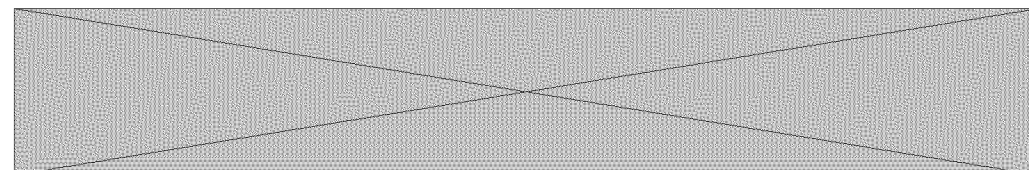
Eric Lipton

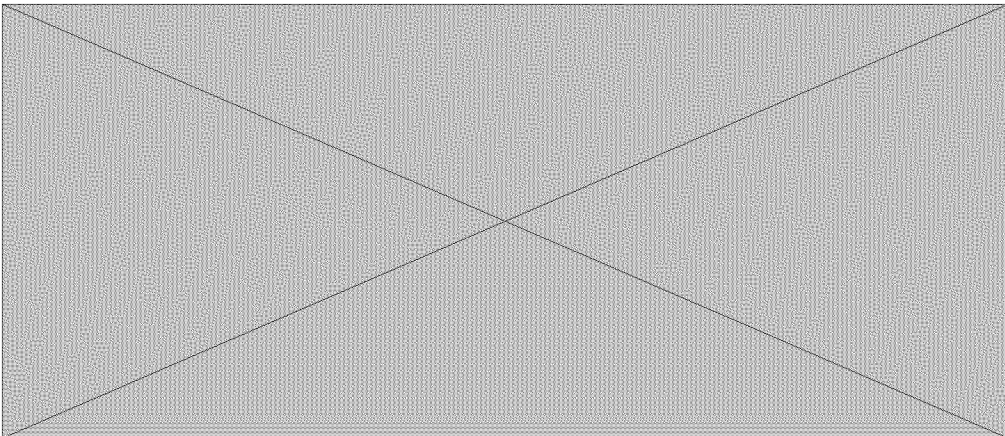


Washington Bureau
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lipton@nytimes.com





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Cc: Lisa Friedman[lisa.friedman@nytimes.com]
From: Wilcox, Jahan
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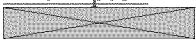
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Eric

Eric Lipton

Washington Bureau
202 862 0448 office
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Sent: Tue 12/19/2017 8:24:52 PM
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Eric

Eric Lipton

Washington Bureau
202 862 0448 office
Personal Phone / Ex. 6
lipton@nytimes.com

To: Julia Cotrone[jcotrone@definerscorp.com]
Cc: Dews, Donna[Dews.Donna@epa.gov]; Scott Cotter[scotter@definerscorp.com]
From: Brown, Rayna
Sent: Thur 12/21/2017 8:42:48 PM
Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Hello Julia,

Thank you for your prompt response. I will generate a final bilateral modification to definitize Definers Corp's decision and will get it to you as quickly as possible. This forthcoming modification will serve as the final step and we can close this out. I will be in contact with you soon. Have a nice day.

Kind regards,

Rayna Brown
Service Center Manager, Contracting Officer
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC

Sent from my iPhone
Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC
(202) 564.6025 Office

On Dec 21, 2017, at 11:01 AM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Hi

I had sent the email below yesterday but am having difficulty finding in my email so I just wanted to resend to make sure you have and are aware.

Definers will not seek payment or assert our rights under FAR 52.212-4

Thanks

On Dec 20, 2017, at 11:45 AM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Definers will not seek payment or assert our rights under FAR 52.212-4

On Tue, Dec 19, 2017 at 10:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Hello Julia,

Thank you for your prompt response and returning the signed subject modification. In terms of additional steps necessary to officially end the process will involve whether or not Definers Corp wants to assert its rights under FAR 52.212-4 (l) terms and conditions—see an excerpt of the applicable clause language below. If Definers Corp is seeking, as a matter of its right, the payment of money arising under or relating to this purchase order and termination, then please submit in writing to me as the Contracting Officer with a level of detail consistent with the FAR 52.212-4 and sufficient for a Contracting Officer to determine that the costs were fair, reasonable, allowable, allocable and the facts justify the requested recovery of costs in a termination settlement (e.g. demonstrates that all reasonable steps were taken to minimize the incurrence of costs allocable to the work covered by the order). A final

bilateral modification will be issued to definitize this aspect of the termination even if Definers Corp indicates that no costs will be claimed under the order and/or pursuant to the termination.

Please notify me of Definer Corp's intent regarding this matter and the Government will act accordingly. Please let me know if you have any additional questions. Thank you kindly and have a great day!

FAR 52.212-4 Contract Terms and Conditions—Commercial Items.

(I) **Termination for the Government's convenience.** The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, **the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges the Contractor can demonstrate to the satisfaction of the Government using its standard record keeping system, have resulted from the termination.** The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. **The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.**

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

From: Julia Cotrone [mailto:jcotrone@definerscorp.com]

Sent: Tuesday, December 19, 2017 7:09 PM

To: Brown, Rayna <brown.rayna@epa.gov>

Cc: jpounder@definerscorp.com; Dews, Donna <Dews.Donna@epa.gov>; Scott Cotter <scotter@definerscorp.com>

Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Attached is signed copy of PO_EP18H000025_1_HQ (7 pages). See page 2 for signature as requested.

Please let us know if there are any additional steps we need to take on our end to complete this process. Otherwise please let us know when this process is 100% completed.

Thank you!

On Tue, Dec 19, 2017 at 4:47 PM, Julia Cotrone <jcotrone@definercorp.com> wrote:

Received

On Tue, Dec 19, 2017 at 3:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Contractor: Definers Corp

Purchase Order No.: EP-18-H-000025

Purchase Order Modification No.: P00001

Purchase Order Title: News Analysis Service

Subject: Unilateral Modification No. P00001

Please find attached modification P00001 to purchase order no. EP-18-H-000025 in order to cancel/terminate this order in its entirety via a Termination for the Government's Convenience effective December 19, 2017 and per the Contracting Officer's (CO's) conversation with Julia Cotrone with Definers Corp this morning. The Contractor shall immediately acknowledge receipt of this modification via email (please **DO NOT** include Group DDC-Customer) upon receipt of this email and correspondence and provide the signed page 2 of 7 to brown.rayna@epa.gov and dews.donna@epa.gov within two (2) business days. Let me know if you have any questions.

Thank you and have a nice day! ☺

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

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Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

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Julia Cotrone

O: 571.290.5461 | C:

Personal Phone / Ex. 6

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Julia Cotrone

O: 571.290.5461 | C:

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To: Brown, Rayna[brown.rayna@epa.gov]
Cc: Dews, Donna[Dews.Donna@epa.gov]; Scott Cotter[scotter@definercorp.com]
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On Tue, Dec 19, 2017 at 10:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Hello Julia,

Thank you for your prompt response and returning the signed subject modification. In terms of additional steps necessary to officially end the process will involve whether or not Definers Corp wants to assert its rights under FAR 52.212-4 (l) terms and conditions—see an excerpt of the applicable clause language below. If Definers Corp is seeking, as a matter of its right, the payment of money arising under or relating to this purchase order and termination, then please submit in writing to me as the Contracting Officer with a level of detail consistent with the FAR 52.212-4 and sufficient for a Contracting Officer to determine that the costs were fair, reasonable, allowable, allocable and the facts justify the requested recovery of costs in a termination settlement (e.g. demonstrates that all reasonable steps were taken to minimize the incurrence of costs allocable to the work covered by the order). A final bilateral modification will be issued to definitize this aspect of the termination even if Definers Corp indicates that no costs will be claimed under the order and/or pursuant to the termination.

Please notify me of Definer Corp's intent regarding this matter and the Government will act accordingly. Please let me know if you have any additional questions. Thank you kindly and have a great day!

FAR 52.212-4 Contract Terms and Conditions—Commercial Items.

(l) Termination for the Government's convenience. The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, **the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges the Contractor can demonstrate to the satisfaction of the Government using its standard record keeping system, have resulted from the termination.** The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. **The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.**

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

From: Julia Cotrone [mailto:jcotrone@definercorp.com]

Sent: Tuesday, December 19, 2017 7:09 PM

To: Brown, Rayna <brown.rayna@epa.gov>

Cc: jpounder@definercorp.com; Dews, Donna <Dews.Donna@epa.gov>; Scott Cotter <scotter@definercorp.com>

Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Attached is signed copy of PO_EP18H000025_1_HQ (7 pages). See page 2 for signature as requested.

Please let us know if there are any additional steps we need to take on our end to complete this process. Otherwise please let us know when this process is 100% completed.

Thank you!

On Tue, Dec 19, 2017 at 4:47 PM, Julia Cotrone <jcotrone@definercorp.com> wrote:

Received

On Tue, Dec 19, 2017 at 3:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Contractor: Definercorp

Purchase Order No.: EP-18-H-000025

Purchase Order Modification No.: P00001

Purchase Order Title: News Analysis Service

Subject: Unilateral Modification No. P00001

Please find attached modification P00001 to purchase order no. EP-18-H-000025 in order to cancel/terminate this order in its entirety via a Termination for the Government's Convenience effective December 19, 2017 and per the Contracting Officer's (CO's) conversation with Julia Cotrone with Definercorp this morning. The Contractor shall immediately acknowledge receipt of this modification via email (please **DO NOT** include Group DDC-Customer) upon receipt of this email and correspondence and provide the signed page 2 of 7 to brown.rayna@epa.gov and dews.donna@epa.gov within two (2) business days. Let me know if you have any questions.

Thank you and have a nice day! ☺

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

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Julia Cotrone

O: 571.290.5461 | C: Personal Phone / Ex. 6

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Julia Cotrone

O: 571.290.5461 | C: Personal Phone / Ex. 6

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Julia Cotrone

O: 571.290.5461 | C: Personal Phone / Ex. 6

To: Julia Cotrone[jcotrone@definercorp.com]
Cc: jpounder@definercorp.com[jpounder@definercorp.com]; Dews, Donna[Dews.Donna@epa.gov]; Scott Cotter[scotter@definercorp.com]
From: Brown, Rayna
Sent: Wed 12/20/2017 3:45:41 AM
Subject: RE: PO_EP18H000025_1_HQ [URGENT]
[EPA Definers Page 2 signed.pdf](#)

Hello Julia,

Thank you for your prompt response and returning the signed subject modification. In terms of additional steps necessary to officially end the process will involve whether or not Definers Corp wants to assert its rights under FAR 52.212-4 (I) terms and conditions—see an excerpt of the applicable clause language below. If Definers Corp is seeking, as a matter of its right, the payment of money arising under or relating to this purchase order and termination, then please submit in writing to me as the Contracting Officer with a level of detail consistent with the FAR 52.212-4 and sufficient for a Contracting Officer to determine that the costs were fair, reasonable, allowable, allocable and the facts justify the requested recovery of costs in a termination settlement (e.g. demonstrates that all reasonable steps were taken to minimize the incurrence of costs allocable to the work covered by the order). A final bilateral modification will be issued to definitize this aspect of the termination even if Definers Corp indicates that no costs will be claimed under the order and/or pursuant to the termination.

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Contractor: Definers Corp

Purchase Order No.: EP-18-H-000025
Purchase Order Modification No.: P00001
Purchase Order Title: News Analysis Service

Subject: Unilateral Modification No. P00001

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Service Center Manager, Contracting Officer
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC

--

Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C:

Deliberative Process / Ex. 5

--

Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C:

Deliberative Process / Ex. 5

To: Brown, Rayna[brown.rayna@epa.gov]
Cc: jpounder@definerscorp.com[jpounder@definerscorp.com]; Dews, Donna[Dews.Donna@epa.gov]; Scott Cotter[scotter@definerscorp.com]
From: Julia Cotrone
Sent: Wed 12/20/2017 12:08:34 AM
Subject: Re: PO_EP18H000025_1_HQ [URGENT]
[EPA Definers Page 2 signed.pdf](#)

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Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

--

Julia Cotrone

O: 571.290.5461 | C:

Personal Phone / Ex. 6

--

Julia Cotrone

O: 571.290.5461 | C:

Personal Phone / Ex. 6

To: Brown, Rayna[brown.rayna@epa.gov]
Cc: jpounder@definerscorp.com[jpounder@definerscorp.com]; Dews, Donna[Dews.Donna@epa.gov]; Scott, Elaine[Scott.Elaïne@epa.gov]
From: Julia Cotrone
Sent: Tue 12/19/2017 9:47:15 PM
Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Received
On Tue, Dec 19, 2017 at 3:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Contractor: Definers Corp

Purchase Order No.: EP-18-H-000025

Purchase Order Modification No.: P00001

Purchase Order Title: News Analysis Service

Subject: Unilateral Modification No. P00001

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Thank you and have a nice day! ☺

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

--
Julia Cotrone
O: 571.290.5461 | C Personal Phone / Ex. 6

To: Dews, Donna[Dews.Donna@epa.gov]
From: Russ Choma
Sent: Mon 12/18/2017 8:57:48 PM
Subject: Definers Corp

Hi Donna,

My name is Russ Choma, I'm a reporter with *Mother Jones* magazine here in DC. I'm working on a story about an EPA contract with a company called Definers Corp. According to the contract's record, you helped prepare the entry. I have a few questions I would like to ask – I can be reached at my office at [Personal Phone / Ex. 6] or through the Signal app at [Personal Phone / Ex. 6]. I appreciate any help you can give,

Thanks,

--
Russ Choma
Mother Jones
rchoma@motherjones.com
[Personal Phone / Ex. 6]

To: Dews, Donna[Dews.Donna@epa.gov]
Cc: jpounder@definercorp.com[jpounder@definercorp.com]; Gosnell, Jody[Gosnell.Jody@epa.gov]; Wilson, Jessica[Wilson.Jessica@epa.gov]
From: Julia Cotrone
Sent: Wed 12/6/2017 8:11:29 PM
Subject: Re: Documents Needed
Definers EPA Proposal.docx

attached - please call my cell if you need any clarification or more detail.
Thanks!

On Tue, Dec 5, 2017 at 4:42 PM, Dews, Donna <Dews.Donna@epa.gov> wrote:

Hi Ms. Cotrone,

Thank you for taking our call earlier on the urgent turnaround request. The U.S. Environmental Protection Agency requests a revised work proposal and cost estimate to the revised statement of work in the attached. In the essence of time please forward the request no later than 3:00pm on Wednesday December 6, if not sooner.

Thank you

Donna Dews

Contract Specialist

US Environmental Protection Agency

Office of Acquisition Management

HPOD/Program Contract Service Center

Washington, DC 20460

202-564-6752 (DIRECT)

Dews.donna@epa.gov

--
Julia Cotrone
O: 571.290.5461 | C

Personal Phone / Ex. 6

To: Dews, Donna[Dews.Donna@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]
Cc: Plater, Lottie[Plater.Lottie@epa.gov]
From: Stewart, Keith
Sent: Mon 1/8/2018 4:31:40 PM
Subject: FW: Oversight request on Definers Inc. contract
[DeFazio Definers 1-3-18.pdf](#)
[ATT00001.htm](#)
[Whitehouse News Analysis 12-19-17.pdf](#)
[ATT00002.htm](#)
[Whitehouse News Analysis 1-5-18.docx](#)
[ATT00003.htm](#)

Rayna and Donna,

Please look at the list of documents below as it relates to the Definers contract. Please have them to Lottie by COB tomorrow.
thanks

From: Patrick, Kimberly
Sent: Monday, January 08, 2018 10:55 AM
To: Stewart, Keith <Stewart.Keith@epa.gov>; Plater, Lottie <Plater.Lottie@epa.gov>; Scott, Elaine <Scott.Elaine@epa.gov>
Cc: Legare, Pamela <Legare.Pamela@epa.gov>
Subject: Fwd: Oversight request on Definers Inc. contract

Please provide the requested information and your comments on the draft response to me by COB Wednesday. I will compile our response and send it forward.

Kimberly Y. Patrick, Director
EPA Office of Acquisition Management
Office: 202-564-4310
Mobile: Personal Phone / Ex. 6
Begin forwarded message:

From: "Cooper, Marian" <Cooper.Marian@epa.gov>
To: "Patrick, Kimberly" <Patrick.Kimberly@epa.gov>, "Legare, Pamela" <Legare.Pamela@epa.gov>, "Vaughn, Celia" <Vaughn.Celia@epa.gov>
Cc: "Vizian, Donna" <Vizian.Donna@epa.gov>, "Showman, John" <Showman.John@epa.gov>, "Bell, Matthew" <Bell.Matthew@epa.gov>, "Aarons, Kyle" <Aarons.Kyle@epa.gov>, "Knapp, Kristien" <Knapp.Kristien@epa.gov>, "Gantt, Melissa" <Gantt.Melissa@epa.gov>
Subject: FW: Oversight request on Definers Inc. contract

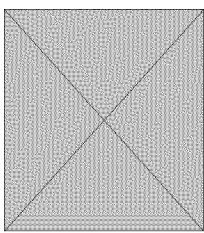
Kimberly, Pam and Celia,

Please see the request below. Kyle from Congressional Affairs, is coordinating this response. Can you please comments on the draft response and the documents requested? Please copy Matt and me on your response.

Thank you and Happy New Year!

Marian

Marian Pechmann Cooper
Chief of Staff
Office of Administration and Resources Management
William Jefferson Clinton Federal Building-NORTH (3330)
Washington, DC 20460
office number -- 202 564-0620
office fax -- 202 564-0233



From: Aarons, Kyle

Sent: Friday, January 05, 2018 10:45 AM

To: Cooper, Marian <Cooper.Marian@epa.gov>; Bell, Matthew <Bell.Matthew@epa.gov>

Cc: Knapp, Kristien <Knapp.Kristien@epa.gov>

Subject: Oversight request on Definers Inc. contract

Hi Marian and Matt – We are working to respond to a couple oversight requests about a contract (now canceled) with Definers Inc. to provide news analysis services to OPA. We worked with OPA to draft the attached response, but will need some help from OAM as well.

Please ask OAM to review the attached draft and let us know of any feedback. We'd also like any documentation of the solicitation and contract that we would release for a FOIA request. Specifically, from the incoming letters:

- A copy of the initial public solicitation or notice related to the "news analysis and brief service" work put out for bid
- A copy of all formal contract responses or other indications of interest to this solicitation or notice from prospective companies seeking to bid on this work
- A copy of the final contract with Definers
- A copy of the contract between EPA and any company that provided similar media monitoring services to the agency *immediately prior* to the awarding of the contract with Definers (press reports indicate that this contract was with a company called Bulletin Intelligence, LLC)
- Copies of [any other] documents related to the procurement of services with Definers as well as the contract EPA concluded with Definers for these services

We don't need any communications at this point. Please ask OAM to flag anything that may contain Confidential Business Information (we'll also have OGC review).

Please let me know if COB Wednesday (1/10) would be reasonable for this.

I'm of course happy to talk to OAM directly if you could put me in touch with the right folks.

Thanks,
Kyle

Kyle Aarons
Congressional Affairs
U.S. Environmental Protection Agency
202-564-7351

To: Brown, Rayna[brown.rayna@epa.gov]
Cc: Dews, Donna[Dews.Donna@epa.gov]; Scott Cotter[scotter@definerscorp.com]
From: Julia Cotrone
Sent: Tue 1/2/2018 8:59:09 PM
Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Sounds good! Thank you

On Tue, Jan 2, 2018 at 3:43 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Hello Julia

Happy New Year and I hope you enjoyed a wonderful holiday season. I have been out on leave for the holidays. Rest assured I have my staff starting to prepare this aforementioned bilateral modification today and we plan to get it to your company this week.

Thank you for your diligent follow ups and we'll be in touch soon. Have a nice day!

Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC
(202) 564.6025 Office

On Jan 2, 2018, at 2:11 PM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Hi Rayna,
Happy New Year! Im not sure we ever received the bilateral modification referenced in your last email. I just want to make sure everything is closed out and you don't need anything else from us.

Thanks!

On Thu, Dec 21, 2017 at 3:42 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Hello Julia,

Thank you for your prompt response. I will generate a final bilateral modification to definitize Definers Corp's decision and will get it to you as quickly as possible. This forthcoming modification will serve as the final step and we can close this out. I will be in contact with you soon. Have a nice day.

Kind regards,

Rayna Brown
Service Center Manager, Contracting Officer
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC

Sent from my iPhone
Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC

On Dec 21, 2017, at 11:01 AM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Hi

I had sent the email below yesterday but am having difficulty finding in my email so I just wanted to resend to make sure you have and are aware.

Definers will not seek payment or assert our rights under FAR 52.212-4

Thanks

On Dec 20, 2017, at 11:45 AM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

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Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

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Sent: Tuesday, December 19, 2017 7:09 PM

To: Brown, Rayna <brown.rayna@epa.gov>

Cc: jpounder@definerscorp.com; Dews, Donna <Dews.Donna@epa.gov>; Scott Cotter <scotter@definerscorp.com>

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Thank you and have a nice day! ☺

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

--

Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

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O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

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Julia Cotrone

O: 571.290.5461 | C:

Personal Phone / Ex. 6

To: Julia Cotrone[jcotrone@definerscorp.com]
Cc: Dews, Donna[Dews.Donna@epa.gov]
From: Brown, Rayna
Sent: Tue 1/2/2018 8:43:35 PM
Subject: Re: PO_EP18H000025_1_HQ [URGENT]

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U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC

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Thank you for your prompt response and returning the signed subject modification. In terms of additional steps necessary to officially end the process will involve whether or not Definers Corp wants to assert its rights under FAR 52.212-4 (l) terms and conditions—see an excerpt of the applicable clause language below. If Definers Corp is seeking, as a matter of its right, the payment of money arising under or relating to this purchase order and termination, then please submit in writing to me as the Contracting Officer with a level of detail consistent with the FAR 52.212-4 and sufficient for a Contracting Officer to determine that the costs were fair, reasonable, allowable, allocable and the facts justify the requested recovery of costs in a termination settlement (e.g. demonstrates that all reasonable steps were taken to minimize the incurrence of costs allocable to the work covered by the order). A final bilateral modification will be issued to definitize this aspect of the termination even if Definers Corp indicates that no costs will be claimed under the order and/or pursuant to the termination.

Please notify me of Definer Corp's intent regarding this matter and the Government will act accordingly. Please let me know if you have any additional questions. Thank you kindly and have a great day!

FAR 52.212-4 Contract Terms and Conditions—Commercial Items.

(l) Termination for the Government's convenience. The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, **the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges the Contractor can demonstrate to the satisfaction of the Government using its standard record keeping system, have resulted from the termination.** The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. **The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.**

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

From: Julia Cotrone [mailto:jcotrone@definercorp.com]

Sent: Tuesday, December 19, 2017 7:09 PM

To: Brown, Rayna <brown.rayna@epa.gov>

Cc: jpounder@definercorp.com; Dews, Donna <Dews.Donna@epa.gov>; Scott Cotter <scotter@definercorp.com>

Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Attached is signed copy of PO_EP18H000025_1_HQ (7 pages). See page 2 for signature as requested.

Please let us know if there are any additional steps we need to take on our end to complete this process. Otherwise please let us know when this process is 100% completed.

Thank you!

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Received

On Tue, Dec 19, 2017 at 3:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Contractor: Definers Corp

Purchase Order No.: EP-18-H-000025

Purchase Order Modification No.: P00001

Purchase Order Title: News Analysis Service

Subject: Unilateral Modification No. P00001

Please find attached modification P00001 to purchase order no. EP-18-H-000025 in order to cancel/terminate this order in its entirety via a Termination for the Government's Convenience effective December 19, 2017 and per the Contracting Officer's (CO's) conversation with Julia Cotrone with Definers Corp this morning. The Contractor shall immediately acknowledge

receipt of this modification via email (please **DO NOT** include Group DDC-Customer) upon receipt of this email and correspondence and provide the signed page 2 of 7 to brown.rayna@epa.gov and dews.donna@epa.gov within two (2) business days. Let me know if you have any questions.

Thank you and have a nice day! ☺

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

--

Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

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Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

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Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

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Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

To: Quarles, Michael[Quarles.Michael@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
Cc: Dews, Donna[Dews.Donna@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]
From: Grantham, Nancy
Sent: Wed 12/27/2017 6:37:40 PM
Subject: RE: PO_EP18H000025_1_HQ [URGENT]

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Quarles, Michael
Sent: Wednesday, December 27, 2017 12:47 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Brown, Rayna <brown.rayna@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Cc: Dews, Donna <Dews.Donna@epa.gov>; McCluney, Lance <McCluney.Lance@epa.gov>
Subject: RE: PO_EP18H000025_1_HQ [URGENT]

Hi Nancy,

Deliberative Process / Ex. 5

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
Mail Code 6202A
(202) 343-9970

From: Grantham, Nancy
Sent: Tuesday, December 26, 2017 5:24 PM
To: Brown, Rayna <brown.rayna@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Cc: Dews, Donna <Dews.Donna@epa.gov>; Quarles, Michael <Quarles.Michael@epa.gov>
Subject: RE: PO_EP18H000025_1_HQ [URGENT]

Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Brown, Rayna
Sent: Tuesday, December 26, 2017 5:19 PM
To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Dews, Donna <Dews.Donna@epa.gov>; Quarles, Michael

<Quarles.Michael@epa.gov>

Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Nancy and Helena,

There were two (2) GAO protests filed by two (2) separate interested parties. The GAO case numbers were B-415800-1 and B-415800-2. Normally the details of the protest such as the allegations filed against EPA and the GAO decisions is made publicly available through GAO online (see links below)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Sent from my iPhone

Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC
(202) 564.6025 Office

On Dec 26, 2017, at 4:48 PM, Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov> wrote:

Thanks Nancy and yes it would be good to see that GAO correspondence.

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Personal Phone / Ex. 6

wooden-aguilar.helena@epa.gov

On Dec 26, 2017, at 4:42 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Brown, Rayna

Sent: Tuesday, December 26, 2017 4:39 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: Dews, Donna <Dews.Donna@epa.gov>; Quarles, Michael <Quarles.Michael@epa.gov>; Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>

Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Hello Nancy,

I hope you had a nice weekend. The funds have already been de-obligated and as I recall I was able to confirm this in Compass Data Warehouse. Also, the GAO protest of this action was dismissed by GAO last week after our attorney indicated corrective action would be taken.

Please let me know if you have any further questions. Have a nice day!

Sent from my iPhone

Kind regards,

Rayna Brown

Service Center Manager

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

(202) 564.6025 Office

On Dec 26, 2017, at 4:24 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Thanks .. please let us know when this is complete – as we would like to deobligate the funds and put them on an existing Cision contract.

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Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Personal Phone / Ex. 6

From: Brown, Rayna

Sent: Thursday, December 21, 2017 3:43 PM

To: Julia Cotrone <jcotrone@definerscorp.com>

Cc: Dews, Donna <Dews.Donna@epa.gov>; Scott Cotter <scotter@definerscorp.com>

Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Hello Julia,

Thank you for your prompt response. I will generate a final bilateral modification to definitize Definers Corp's decision and will get it to you as quickly as possible. This forthcoming modification will serve as the final step and we can close this out. I will be in contact with you soon. Have a nice day.

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

Sent from my iPhone

Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC
(202) 564.6025 Office

On Dec 21, 2017, at 11:01 AM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Hi

I had sent the email below yesterday but am having difficulty finding in my email so I just wanted to resend to make sure you have and are aware.

Definers will not seek payment or assert our rights under FAR 52.212-4

Thanks

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Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

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To: Brown, Rayna <brown.rayna@epa.gov>

Cc: jpounder@definerscorp.com; Dews, Donna <Dews.Donna@epa.gov>;

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Purchase Order No.: EP-18-H-000025

Purchase Order Modification No.: P00001

Purchase Order Title: News Analysis Service

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Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

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Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C:

Personal Phone / Ex. 6

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Julia Cotrone

O: 571.290.5461 | C:

Personal Phone / Ex. 6

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Julia Cotrone

O: 571.290.5461 | C:

Personal Phone / Ex. 6

To: Grantham, Nancy[Grantham.Nancy@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]; Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]
Cc: Dews, Donna[Dews.Donna@epa.gov]; McCluney, Lance[McCluney.Lance@epa.gov]
From: Quarles, Michael
Sent: Wed 12/27/2017 5:46:59 PM
Subject: RE: PO_EP18H000025_1_HQ [URGENT]

Hi Nancy,

Deliberative Process / Ex. 5

Have a great day,

Michael G. Quarles
Acquisitions and Assistance Manager
Office of Administrative and Executive Services
US Environmental Protection Agency
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Mail Code 6202A
(202) 343-9970

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Subject: RE: PO_EP18H000025_1_HQ [URGENT]

Deliberative Process / Ex. 5

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Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Sent from my iPhone

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OAM/HPOD/PCSC
(202) 564.6025 Office

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Personal Email / Ex. 6

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To: Brown, Rayna <brown.rayna@epa.gov>

Cc: jpounder@definerscorp.com; Dews, Donna <Dews.Donna@epa.gov>;

Scott Cotter <scotter@definerscorp.com>

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Purchase Order Modification No.: P00001

Purchase Order Title: News Analysis Service

Subject: Unilateral Modification No. P00001

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U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

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Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

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Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

--

Julia Cotrone

O: [571.290.5461](tel:571.290.5461) | C: Personal Phone / Ex. 6

Cc: Kusal de Silva[kusal.desilva@meltwater.com]
To: Dews, Donna[Dews.Donna@epa.gov]
From: Ben Kessler
Sent: Thur 11/30/2017 3:07:31 PM
Subject: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Ms. Dews,
Hope you are well. My name is Ben Kessler, I'm the Head of Government Solutions at the Media Intelligence firm, Meltwater.

I was notified of the subject-referenced Sole Source Notice to award a contract to Definers Corp and wanted to reach out.

I am trying to find more information on FBO and/or FedConnect related to the requirements and Sole Source Justification but cannot find anything.

Meltwater is a Media Intelligence and News Analysis company, so we believe we may be able to support this requirement as an alternative source and that the Government should therefore compete this requirement.

That said, I do not have enough information from what was made publically available via FBO and/or FedConnect.

Could you kindly send me over the following:

- SOW / PWS that is being supported by this contract
- Sole Source Justification
- Intended Contract Award Amount
- Any other information pertinent towards what you need to see from Meltwater should we choose to prove ourselves as a Potential Source for this requirement

Thanks for your prompt response to this matter, and please do not hesitate to call me with any questions!

Best,
Ben

BEN KESSLER
Head of Government Solutions | Washington, D.C.
T: +1 202 552 3280 | [Personal Phone / Ex. 6](tel:+12025523280)
Ben.Kessler@meltwater.com | www.meltwater.com

Meltwater – billions of online conversations, freshly filtered.



The information contained in this email may be confidential. It has been sent for the sole use of the intended recipient(s). If the reader of this email is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this email in error, please notify the sender immediately and destroy all copies of the message.

To: Dews, Donna[Dews.Donna@epa.gov]
Cc: Maria Falzo[maria@blueforcecommunications.com]
From: Armand Cucciniello
Sent: Wed 11/29/2017 10:50:14 PM
Subject: EPA Sole Sourcing for news analysis

Hi Ms. Dews,

I see that the EPA has put out a Sole Source Notification for News analysis and brief service focusing on EPA work and other topics of interest to the agency. (Ref # 68HE0H18B0002)

Why is this program not being competed openly, or going through the GSA schedule? More importantly, what is the legal basis for the EPA's decision to Sole Source this program to Definers Corp in Arlington, VA and not allow other vendors to compete?

Thank you,

Armand Cucciniello III

Vice President

Cell:

Office: +1 (646) 652-6412

www.blueforcecommunications.com

Cc: Kusal de Silva[kusal.desilva@meltwater.com]
To: Dews, Donna[Dews.Donna@epa.gov]
From: Ben Kessler
Sent: Mon 12/4/2017 4:27:26 PM
Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice
[smime.p7s](#)

Ms. Dews,
Good Morning.

I called and left a voicemail on Friday to follow up my below email, and also called OARM and OAM main lines to see if I had the right number.

I have not yet received a response on the below, so wanted to confirm you had seen my note proposing Meltwater as an Alternative Source? Also, can you kindly send over the requested information below?

Thank you so much and please don't hesitate to call me with any questions.

Best,
Ben

BEN KESSLER
Head of Government Solutions, Washington, D.C.
T: +1 202 552 3280 | M: **Personal Phone / Ex. 6**
Ben.Kessler@meltwater.com | www.meltwater.com

Meltwater – billions of online conversations, freshly filtered.



On Nov 30, 2017, at 10:07 AM, Ben Kessler <ben.kessler@meltwater.com> wrote:

Ms. Dews,
Hope you are well. My name is Ben Kessler, I'm the Head of Government Solutions at the Media Intelligence firm, Meltwater.

I was notified of the subject-referenced Sole Source Notice to award a contract to Definers Corp and wanted to reach out.

I am trying to find more information on FBO and/or FedConnect related to the requirements and Sole Source Justification but cannot find anything.

Meltwater is a Media Intelligence and News Analysis company, so we believe we may be able to support this requirement as an alternative source and that the Government should therefore compete this requirement.

That said, I do not have enough information from what was made publically available via FBO and/or FedConnect.

Could you kindly send me over the following:

- SOW / PWS that is being supported by this contract
- Sole Source Justification
- Intended Contract Award Amount
- Any other information pertinent towards what you need to see from Meltwater should we choose to prove ourselves as a Potential Source for this requirement

Thanks for your prompt response to this matter, and please do not hesitate to call me with any questions!

Best,
Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.

T: +1 202 552 3280 | **Personal Phone / Ex. 6**

Ben.Kessler@meltwater.com | www.meltwater.com

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<image001.png>

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Cc: Kusal de Silva[kusal.desilva@meltwater.com]; Plater, Lottie[Plater.Lottie@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]; Wilson, Jessica[Wilson.Jessica@epa.gov]
To: Dews, Donna[Dews.Donna@epa.gov]
From: Ben Kessler
Sent: Mon 12/11/2017 6:43:14 PM
Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Ms. Dews,
Thank you for getting back.

As per our phone conversation, a search on FedConnect for “Media” or “news analysis” or 68HE0H18B0002 returns only the original Sole Source Notice with no further information.

A search on FBO.gov returns no results.

If you could kindly provide the re-issued or amended Notice of Intent to Sole Source (with the JOFOC) at your earliest convenience, and where we could have accessed this, that would be much appreciated.

As your email indicated, time is of the essence, and given that we were never informed of this re-issuance, I am hoping to understand where we could have looked for this/where it was made publically available.

Thank you,

BEN KESSLER

Head of Government Solutions | Washington, D.C.
T: +1 202 552 3280 | **Personal Phone / Ex. 6**
Ben.Kessler@meltwater.com | www.meltwater.com

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On Dec 11, 2017, at 1:29 PM, Dews, Donna <Dews.Donna@epa.gov> wrote:

Ben

Per our conversation, I was able to bring the amended pre-solicitation/notice of intent to sole source hours ago in our system, I am sorry you are unable to access. As I informed you, I am about to go into a meeting and I will send the amended notice to intent to sole source to you after my meeting with the JOFOC.

Donna Dews
Contract Specialist
US Environmental Protection Agency
Office of Acquisition Management
HPOD/Program Contract Service Center
Washington, DC 20460
202-564-6752 (DIRECT)
Dews.donna@epa.gov

From: Ben Kessler [<mailto:ben.kessler@meltwater.com>]

Sent: Monday, December 11, 2017 1:22 PM

To: Dews, Donna <Dews.Donna@epa.gov>

Cc: Kusal de Silva <kusal.desilva@meltwater.com>; Plater, Lottie <Plater.Lottie@epa.gov>; Brown, Rayna <brown.rayna@epa.gov>; Wilson, Jessica <Wilson.Jessica@epa.gov>

Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Ms. Dews,

Thank you for getting back to me.

I was not aware you had re-submitted/amended the Intent to Sole Source as I never received a response from you on my 2 voicemails, 3 emails, and messages I left for you at the main OAM desk.

I also just ran a search on FedConnect and FBO and your website, and do not see any form of re-submission or amendment.

Please advise ASAP, or please provide me with the Justification that you have attached, along with where I may be able to find it publically.

Thank you for addressing.

Best,
Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.

T: +1 202 552 3280 | **Personal Phone / Ex. 6**

Ben.Kessler@meltwater.com | www.meltwater.com

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On Dec 11, 2017, at 12:08 PM, Dews, Donna <Dews.Donna@epa.gov> wrote:

Ben

We re-submitted/amended the Intent to Sole Source after your inquiry to get the SOW. On the amended we attached the Justification for other than full and open competition as adequate notification and documentation. This contained all the information necessary for us to go forward with the award, since there was no response on the second notice. Thank you for your interest in this requirement.

Donna Dews
Contract Specialist
US Environmental Protection Agency
Office of Acquisition Management
HPOD/Program Contract Service Center
Washington, DC 20460
202-564-6752 (DIRECT)
Dews.donna@epa.gov

From: Ben Kessler [<mailto:ben.kessler@meltwater.com>]

Sent: Friday, December 08, 2017 12:00 PM

To: Dews, Donna <Dews.Donna@epa.gov>

Cc: Kusal de Silva <kusal.desilva@meltwater.com>

Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Importance: High

Ms. Dews,

Have you received my notes or voicemails?

Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.

T: +1 202 552 3280 | **Personal Phone / Ex. 6**
Ben.Kessler@meltwater.com | www.meltwater.com

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On Dec 4, 2017, at 11:27 AM, Ben Kessler <ben.kessler@meltwater.com> wrote:

Ms. Dews,

Good Morning.

I called and left a voicemail on Friday to follow up my below email, and also called OARM and OAM main lines to see if I had the right number.

I have not yet received a response on the below, so wanted to confirm you had seen my note proposing Meltwater as an Alternative Source? Also, can you kindly send over the requested information below?

Thank you so much and please don't hesitate to call me with any questions.

Best,
Ben

BEN KESSLER

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<image001.png>

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Ben

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I also just ran a search on FedConnect and FBO and your website, and do not see any form of re-submission or amendment.

Please advise ASAP, or please provide me with the Justification that you have attached, along with where I may be able to find it publically.

Thank you for addressing.

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Donna Dews
Contract Specialist
US Environmental Protection Agency
Office of Acquisition Management
HPOD/Program Contract Service Center
Washington, DC 20460
202-564-6752 (DIRECT)
Dews.donna@epa.gov

From: Ben Kessler [<mailto:ben.kessler@meltwater.com>]
Sent: Friday, December 08, 2017 12:00 PM
To: Dews, Donna <Dews.Donna@epa.gov>
Cc: Kusal de Silva <kusal.desilva@meltwater.com>

Importance: High

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Have you received my notes or voicemails?

Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.

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Cc: Kusal de Silva[kusal.desilva@meltwater.com]
To: Dews, Donna[Dews.Donna@epa.gov]
From: Ben Kessler
Sent: Fri 12/8/2017 4:59:58 PM
Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Ms. Dews,
Have you received my notes or voicemails?

Ben

BEN KESSLER
Head of Government Solutions | Washington, D.C.
T: +1 202 552 3280 | **Personal Phone / Ex. 6**
Ben.Kessler@meltwater.com | www.meltwater.com

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To: Dews, Donna[Dews.Donna@epa.gov]
Cc: Quarles, Michael[Quarles.Michael@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Group DDC-Customer[DDC-Customer@epa.gov]; Wilson, Jessica[Wilson.Jessica@epa.gov]; Scott, Elaine[Scott.Elaine@epa.gov]; Plater, Lottie[Plater.Lottie@epa.gov]
From: Julia Cotrone
Sent: Thur 12/7/2017 11:02:56 PM
Subject: Re: Distribution of EP-18-H-000025 - A more legible copy
Definers Executed EPA Award.pdf

Thank you, Donna! Attached is signed award -
Please let me know if theres anything else we need to do on our end to process the award.

On Thu, Dec 7, 2017 at 5:43 PM, Dews, Donna <Dews.Donna@epa.gov> wrote:

Oops!!!Here is a better copy.

The attached is for award. Thanks so much!!!

Donna Dews

Contract Specialist

US Environmental Protection Agency

Office of Acquisition Management

HPOD/Program Contract Service Center

Washington, DC 20460

202-564-6752 (DIRECT)

Dews.donna@epa.gov

--

Julia Cotrone

O: 571.290.5461 Personal Phone / Ex. 6

To: Vaughn, Celia[Vaughn.Celia@epa.gov]; Stewart, Keith[Stewart.Keith@epa.gov]; Patrick, Kimberly[Patrick.Kimberly@epa.gov]; Legare, Pamela[Legare.Pamela@epa.gov]
Cc: Scott, Elaine[Scott.Elaine@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]; Gosnell, Jody[Gosnell.Jody@epa.gov]; Dews, Donna[Dews.Donna@epa.gov]; Quarles, Michael[Quarles.Michael@epa.gov]; Wilson, Jessica[Wilson.Jessica@epa.gov]
From: Plater, Lottie
Sent: Tue 1/9/2018 8:49:10 PM
Subject: PROPOSED OAM RESPONSE + DOCUMENTS >> RE: REQUEST FOR YOU IMMEDIATE ACTION
[OAM Edits Whitehouse News Analysis 1-5-18 \(002\).docx](#)
[Documents to Congressional Response.pdf](#)

Celia,

Per your request, here are the documents for this data-call. Please let me know if you have any questions. Thanks!

Lottie Plater
Associate Director,
OARM/OAM/HPOD
Environmental Protection Agency
Email: plater.lottie@epa.gov
W: 202-564-0163

Personal Phone / Ex. 6

“Blowing out someone else’s candle doesn’t make yours shine any brighter”

To: Dolan, Sheila[dolan.sheila@epa.gov]
Cc: Brown, Rayna[brown.rayna@epa.gov]
From: Dews, Donna
Sent: Mon 5/14/2018 11:58:19 AM
Subject: FW: ACTION >> FW: PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)
[EP-18-H-000025 Mod P00002.pdf](#)

Sheila

Forgot attachment.

Sincerely,
Donna Dews

-----Original Message-----

From: Brown, Rayna
Sent: Monday, May 14, 2018 6:49 AM
To: Dews, Donna <Dews.Donna@epa.gov>; Gosnell, Jody <Gosnell.Jody@epa.gov>
Cc: Dolan, Sheila <dolan.sheila@epa.gov>
Subject: ACTION >> FW: PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Hello Donna,

I hope all is well with you. Given that I am no longer supporting PCSC and this pending modification is a basic modification to officially close out the terminated order that was protested, there is no reason that I have to be the person to complete the transaction. Therefore, please coordinate internally within PCSC to complete this action. If you want me to delete it then please let me know as someone in PCSC may want to start the mod from scratch under their purview or may conclude that the action/modification is not needed. Please consult with Jody and/or Sheila and let me know if I'm deleting the mod or not.

Thanks and have a nice day!

Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA) OAM/HPOD/Pre-Award Solutions Team
(202) 564.6025 Office

-----Original Message-----

From: EAS.System@epamail.epa.gov [mailto:EAS.System@epamail.epa.gov]
Sent: Sunday, May 13, 2018 6:44 AM
To: Brown, Rayna <brown.rayna@epa.gov>
Subject: PRISM Workflow Reminder regarding Purchase Order EP-18-H-000025 (P00002)

Purchase Order EP-18-H-000025 (P00002) has been in your inbox for 83 working days awaiting your review.

Please review the Purchase Order and take appropriate action at your earliest convenience. You may access PRISM by clicking [Nonresponsive Internal URL / Ex. 6](#)

To: Brown, Rayna[brown.rayna@epa.gov]
From: Dews, Donna
Sent: Thur 1/11/2018 6:11:35 PM
Subject: RE: PO_EP18H000025_1_HQ [URGENT]

Hi Rayna

Do you have what Definers Corp decision was? Once I know this, Will I be able to do the modification?

Thanks.
Donna

From: Brown, Rayna
Sent: Thursday, December 21, 2017 3:43 PM
To: Julia Cotrone <jcotrone@definerscorp.com>
Cc: Dews, Donna <Dews.Donna@epa.gov>; Scott Cotter <scotter@definerscorp.com>
Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Hello Julia,

Thank you for your prompt response. I will generate a final bilateral modification to definitize Definers Corp's decision and will get it to you as quickly as possible. This forthcoming modification will serve as the final step and we can close this out. I will be in contact with you soon. Have a nice day.

Kind regards,

Rayna Brown
Service Center Manager, Contracting Officer
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC

Sent from my iPhone

Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC

(202) 564.6025 Office

On Dec 21, 2017, at 11:01 AM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Hi

I had sent the email below yesterday but am having difficulty finding in my email so I just wanted to resend to make sure you have and are aware.

Definers will not seek payment or assert our rights under FAR 52.212-4

Thanks

On Dec 20, 2017, at 11:45 AM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Definers will not seek payment or assert our rights under FAR 52.212-4

On Tue, Dec 19, 2017 at 10:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Hello Julia,

Thank you for your prompt response and returning the signed subject modification. In terms of additional steps necessary to officially end the process will involve whether or not Definers Corp wants to assert its rights under FAR 52.212-4 (I) terms and conditions—see an excerpt of the applicable clause language below. If Definers Corp is seeking, as a matter of its right, the payment of money arising under or relating to this purchase order and termination, then please submit in writing to me as the Contracting Officer with a level of detail consistent with the FAR 52.212-4 and sufficient for a Contracting Officer to determine that the costs were fair, reasonable, allowable, allocable and the facts justify the requested recovery of costs in a termination settlement (e.g. demonstrates that all reasonable steps were taken to minimize the incurrence of costs allocable to the work covered by the order). A final bilateral modification will be issued to definitize this aspect of the termination even if Definers Corp indicates that no costs will be claimed under the order and/or pursuant to the termination.

Please notify me of Definer Corp's intent regarding this matter and the Government will act accordingly. Please let me know if you have any additional questions. Thank you kindly and have a great day!

FAR 52.212-4 Contract Terms and Conditions—Commercial Items.

(I) **Termination for the Government's convenience.** The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, **the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges the Contractor can demonstrate to the satisfaction of the Government using its standard record keeping system, have resulted from the termination.** The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. **The Contractor shall not be paid for any work performed or costs incurred which reasonably could have been avoided.**

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

From: Julia Cotrone [mailto:jcotrone@definerscorp.com]

Sent: Tuesday, December 19, 2017 7:09 PM

To: Brown, Rayna <brown.rayna@epa.gov>

Cc: jpounder@definerscorp.com; Dews, Donna <Dews.Donna@epa.gov>; Scott Cotter <scotter@definerscorp.com>

Subject: Re: PO_EP18H000025_1_HQ [URGENT]

Attached is signed copy of PO_EP18H000025_1_HQ (7 pages). See page 2 for signature as requested.

Please let us know if there are any additional steps we need to take on our end to complete this process. Otherwise please let us know when this process is 100% completed.

Thank you!

On Tue, Dec 19, 2017 at 4:47 PM, Julia Cotrone <jcotrone@definerscorp.com> wrote:

Received

On Tue, Dec 19, 2017 at 3:45 PM, Brown, Rayna <brown.rayna@epa.gov> wrote:

Contractor: Definers Corp

Purchase Order No.: EP-18-H-000025

Purchase Order Modification No.: P00001

Purchase Order Title: News Analysis Service

Subject: Unilateral Modification No. P00001

Please find attached modification P00001 to purchase order no. EP-18-H-000025 in order to cancel/terminate this order in its entirety via a Termination for the Government's Convenience effective December 19, 2017 and per the Contracting Officer's (CO's) conversation with Julia Cotrone with Definers Corp this morning. The Contractor shall immediately acknowledge receipt of this modification via email (please **DO NOT** include Group DDC-Customer) upon receipt of this email and correspondence and provide the signed page 2 of 7 to brown.rayna@epa.gov and dews.donna@epa.gov within two (2) business days. Let me know if you have any questions.

Thank you and have a nice day! ☺

Kind regards,

Rayna Brown

Service Center Manager, Contracting Officer

U.S. Environmental Protection Agency (U.S. EPA)

OAM/HPOD/PCSC

--

Julia Cotrone

O: 571.290.5461 | **Personal Phone / Ex. 6**

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Julia Cotrone

O: 571.290.5461 | **Personal Phone / Ex. 6**

To: Ben Kessler[ben.kessler@meltwater.com]
Cc: Kusal de Silva[kusal.desilva@meltwater.com]; Plater, Lottie[Plater.Lottie@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]; Wilson, Jessica[Wilson.Jessica@epa.gov]
From: Dews, Donna
Sent: Mon 12/11/2017 6:29:32 PM
Subject: RE: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Ben

Per our conversation, I was able to bring the amended pre-solicitation/notice of intent to sole source hours ago in our system, I am sorry you are unable to access. As I informed you, I am about to go into a meeting and I will send the amended notice to intent to sole source to you after my meeting with the JOFOC.

Donna Dews
Contract Specialist
US Environmental Protection Agency
Office of Acquisition Management
HPOD/Program Contract Service Center
Washington, DC 20460
202-564-6752 (DIRECT)
Dews.donna@epa.gov

From: Ben Kessler [mailto:ben.kessler@meltwater.com]
Sent: Monday, December 11, 2017 1:22 PM
To: Dews, Donna <Dews.Donna@epa.gov>
Cc: Kusal de Silva <kusal.desilva@meltwater.com>; Plater, Lottie <Plater.Lottie@epa.gov>; Brown, Rayna <brown.rayna@epa.gov>; Wilson, Jessica <Wilson.Jessica@epa.gov>
Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Ms. Dews,

Thank you for getting back to me.

I was not aware you had re-submitted/amended the Intent to Sole Source as I never received a response from you on my 2 voicemails, 3 emails, and messages I left for you at the main OAM desk.

I also just ran a search on FedConnect and FBO and your website, and do not see any form of re-submission or amendment.

Please advise ASAP, or please provide me with the Justification that you have attached, along with where I may be able to find it publically.

Thank you for addressing.

Best,
Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.
T: +1 202 552 3280 [Personal Phone / Ex. 6]
Ben.Kessler@meltwater.com | www.meltwater.com

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On Dec 11, 2017, at 12:08 PM, Dews, Donna <Dews.Donna@epa.gov> wrote:

Ben

We re-submitted/amended the Intent to Sole Source after your inquiry to get the SOW. On the amended we attached the Justification for other than full and open competition as adequate notification and documentation. This contained all the information necessary for us to go forward with the award, since there was no response on the second notice. Thank you for your interest in this requirement.

Donna Dews
Contract Specialist
US Environmental Protection Agency
Office of Acquisition Management
HPOD/Program Contract Service Center
Washington, DC 20460
202-564-6752 (DIRECT)
Dews.donna@epa.gov

From: Ben Kessler [<mailto:ben.kessler@meltwater.com>]
Sent: Friday, December 08, 2017 12:00 PM
To: Dews, Donna <Dews.Donna@epa.gov>
Cc: Kusal de Silva <kusal.desilva@meltwater.com>
Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice
Importance: High

Ms. Dews,

Have you received my notes or voicemails?

Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.
T: +1 202 552 3280 | [Personal Phone / Ex. 6](tel:+12025523280)
Ben.Kessler@meltwater.com | www.meltwater.com

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On Dec 4, 2017, at 11:27 AM, Ben Kessler <ben.kessler@meltwater.com> wrote:

Ms. Dews,

Good Morning.

I called and left a voicemail on Friday to follow up my below email, and also called OARM and OAM main lines to see if I had the right number.

I have not yet received a response on the below, so wanted to confirm you had seen my note

proposing Meltwater as an Alternative Source? Also, can you kindly send over the requested information below?

Thank you so much and please don't hesitate to call me with any questions.

Best,
Ben

BEN KESSLER

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T: +1 202 552 3280 | **Personal Phone / Ex. 6**
Ben.Kessler@meltwater.com | www.meltwater.com

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<image001.png>

On Nov 30, 2017, at 10:07 AM, Ben Kessler <ben.kessler@meltwater.com> wrote:

Ms. Dews,

Hope you are well. My name is Ben Kessler, I'm the Head of Government Solutions at the Media Intelligence firm, Meltwater.

I was notified of the subject-referenced Sole Source Notice to award a contract to Definers Corp and wanted to reach out.

I am trying to find more information on FBO and/or FedConnect related to the requirements and Sole Source Justification but cannot find anything.

Meltwater is a Media Intelligence and News Analysis company, so we believe we may be able to support this requirement as an alternative source and that the Government should therefore compete this requirement.

That said, I do not have enough information from what was made publically available via FBO and/or FedConnect.

Could you kindly send me over the following:

- SOW / PWS that is being supported by this contract
- Sole Source Justification
- Intended Contract Award Amount
- Any other information pertinent towards what you need to see from Meltwater should we choose to prove ourselves as a Potential Source for this requirement

Thanks for your prompt response to this matter, and please do not hesitate to call me with any questions!

Best,
Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.
T: +1 202 552 3280 | **Personal Phone / Ex. 6**
Ben.Kessler@meltwater.com | www.meltwater.com

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To: Ben Kessler[ben.kessler@meltwater.com]
Cc: Kusal de Silva[kusal.desilva@meltwater.com]; Plater, Lottie[Plater.Lottie@epa.gov]; Brown, Rayna[brown.rayna@epa.gov]; Wilson, Jessica[Wilson.Jessica@epa.gov]
From: Dews, Donna
Sent: Mon 12/11/2017 5:08:59 PM
Subject: RE: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice

Ben

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Donna Dews
Contract Specialist
US Environmental Protection Agency
Office of Acquisition Management
HPOD/Program Contract Service Center
Washington, DC 20460
202-564-6752 (DIRECT)
Dews.donna@epa.gov

From: Ben Kessler [mailto:ben.kessler@meltwater.com]
Sent: Friday, December 08, 2017 12:00 PM
To: Dews, Donna <Dews.Donna@epa.gov>
Cc: Kusal de Silva <kusal.desilva@meltwater.com>
Subject: Re: Media Support/News analysis service -68HE0H18B0002 - Sole Source Notice
Importance: High

Ms. Dews,

Have you received my notes or voicemails?

Ben

BEN KESSLER

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I have not yet received a response on the below, so wanted to confirm you had seen my note proposing Meltwater as an Alternative Source? Also, can you kindly send over the requested information below?

Thank you so much and please don't hesitate to call me with any questions.

Best,
Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.

T: +1 202 552 3280 | **Personal Phone / Ex. 6**

Ben.Kessler@meltwater.com | www.meltwater.com

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<image001.png>

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Ms. Dews,

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- Sole Source Justification
- Intended Contract Award Amount
- Any other information pertinent towards what you need to see from Meltwater should we choose to prove ourselves as a Potential Source for this requirement

Thanks for your prompt response to this matter, and please do not hesitate to call me with any questions!

Best,
Ben

BEN KESSLER

Head of Government Solutions | Washington, D.C.

T: +1 202 552 3280 | **Personal Phone / Ex. 6**

Ben.Kessler@meltwater.com | www.meltwater.com

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<image001.png>

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To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hupp, Millan[hupp.millan@epa.gov]
From: Wooden-Aguilar, Helena
Sent: Fri 12/15/2017 4:12:25 PM
Subject: Fwd: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

Helena Wooden-Aguilar
Acting Deputy Chief of Staff
Office of the Administrator
U.S. Environmental Protection Agency
202-564-0792 (office)

Deliberative Process / Ex. 5

wooden-aguilar.helena@epa.gov

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: December 15, 2017 at 11:11:00 AM EST
To: "Wooden-Aguilar, Helena" <Wooden-Aguilar.Helena@epa.gov>
Subject: FW: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

Also . . new york times is calling

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Deliberative Process / Ex. 5

From: D'Andrea, Michael
Sent: Friday, December 15, 2017 10:20 AM
To: Regional Public Affairs Directors <Regional_Public_Affairs_Directors@epa.gov>
Subject: Fwd: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

<http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/#>

The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

It promises "war room" style media monitoring.

[Rebecca Leber](#), [Andy Kroll](#) and [Russ Choma](#) Dec. 15, 2017 6:00 AM

Using taxpayer dollars, the Environmental Protection Agency has hired a cutting-edge Republican PR firm that specializes in digging up opposition research to help Administrator Scott Pruitt's office track and shape press coverage of the agency.

According to federal contracting records, earlier this month Pruitt's office inked a no-bid \$120,000 contract with Definers Corp., a Virginia-based public relations firm founded by Matt Rhoades, who managed Mitt Romney's 2012 presidential campaign. Following Romney's defeat, Rhoades established America Rising, an ostensibly independent political action committee that works closely with the Republican National Committee and Republican candidates to mine damning information on opponents. Other higher-ups at Definers include former RNC research director Joe Pounder, who's been described as "a master of opposition research," and senior vice president Colin Reed, an oppo-research guru billed as "among the leaders of the war on [Sen. Elizabeth] Warren."

This for-profit consulting firm offers a variety of public relations services such as digital strategy, political consulting, and media relations. According to its website, Definers' clients include Fortune 500 corporations, political groups, and nonprofits. In the past, both Marco Rubio and John McCain used their services, and since the 2016 election so has Rep. Diane Black (R-Tenn.). The client list for America Rising includes the RNC, Republican candidates, such as Sen. Pat Toomey (R-Penn.), and super-PACs such as the Mitch McConnell-linked Senate Leadership Fund and Karl Rove's American Crossroads.

The company also specializes in using the press and social media to "validate your narrative." According to the company's website, one of the tools to help do this is its "Definers Console" media-tracking technology. Reed said his firm contracted with Pruitt's office at the EPA, which is the first governmental client to pay for the Definers Console. The technology promises "war room" style media monitoring, analysis and advice, according to marketing materials. A brochure for the Console assures users that they will be able to "monitor for potential crises, as well as to track their message dissemination, relevant responses to their messaging, and what competitors' actions have been."

Besides monitoring media, users will get analysis and input from their employees whose experience in political campaigns and the business world helps create a unique approach "to intelligence gathering and opposition work. This experience informs the way we gather, synthesize, and disseminate information."

"Definers has been contracted to provide media monitoring services through our Console by the EPA," Reed says. "We provide the same service to a number of corporate and non-profit organizations."

In response to *Mother Jones'* questions about the Definers contract, EPA spokesperson Nancy Grantham said, "The Definers contract is for media monitoring/newsclip compilation." To a question on how the contract came about, she said: "The contract award was handled through the EPA Office of Acquisition Management."

USASpending.gov, a website that tracks federal spending, shows that in early 2016 the EPA signed a \$207,000 contract with a firm called Bulletin Intelligence, requesting similar services. Bulletin is owned by public relations giant Cision, a well-known international PR firm. According to OpenSecrets.org's expenditure data, Bulletin is not political and has not done any recent work for any candidates or PACs. The contract expired in February.

Definers also recently launched a new venture with the global law firm Dentons, which describes itself as combining "political intelligence, legal advisors, campaign-style tactics, lobbying, governmental affairs, research, and communications into one unique offering" to help clients.

The career of at least one of Pruitt's staffers has overlapped with the Republican operatives at Definers. Jahan Wilcox, who previously worked for Marco Rubio's presidential campaign and

in rapid response for the Republican National Committee, is now a spokesperson for the EPA.

Wilcox, along with other political staff in Pruitt's EPA press shop, has had some contentious interactions with the press. In one case, when Eric Lipton from *The New York Times* was confirming facts for an investigation into the EPA's industry-friendly approach to chemical regulation, EPA spokesperson Liz Bowman diverted the discussion to other outlets' reporting rather than confirming his questions. Wilcox added, "If you want to steal work from other outlets and pretend like it's your own reporting that is your decision."

On another occasion, shortly after the *Associated Press* reported on the Superfund sites affected by Hurricane Harvey, the EPA went after one of the bylined reporters in a statement, and an unnamed official later admitted to removing one of the bylined *AP* reporters from the agency's press list, saying, "We don't think he's a trustworthy reporter." When Pruitt has faced criticism, the EPA highlights friendlier stories from conservative outlets—including *Breitbart*.

Pruitt has come under fire for a general lack of transparency at the EPA. The latest example is his trip promoting natural gas in Morocco. The public learned of his travels when his office posted a media release, causing confusion over why the EPA would not notify reporters ahead of time. This means that information on Pruitt's activities in Morocco will be restricted to the EPA's own spin.

The EPA's work with groups affiliated with Pounder predate this contract. On a handful of occasions, the EPA has promoted positive coverage of Pruitt's actions from the news-aggregation website Need To Know Network. Earlier this year, the website wrote a series of stories designed shed positive light on the controversial administrator. In one story, the site describes Pruitt as "busy racking up accomplishments that both protect Americans and save millions in taxpayer dollars." Another congratulated Pruitt for moving ahead with plans to open Alaska's Bristol Bay to mining, writing it was "a move that will prove to be a massive job creator for President Trump and Pruitt."

The Need to Know Network was started by Pounder and other operatives connected to America Rising and Definers Corp.

To: Wooden-Aguilar, Helena[Wooden-Aguilar.Helena@epa.gov]; Hupp, Millan[hupp.millan@epa.gov]
From: Ferguson, Lincoln
Sent: Mon 12/18/2017 7:17:36 PM
Subject: Fwd: APPROVAL: Bug sweeping, biometric locks

Sent from my iPhone

Begin forwarded message:

From: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Date: December 18, 2017 at 12:17:54 PM EST
To: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
Cc: "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Daniell, Kelsi" <daniell.kelsi@epa.gov>
Subject: APPROVAL: Bug sweeping, biometric locks

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]
Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courier-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail."

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them."

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

1100 13 St. NW, Suite 700

Washington, D.C. 20005-4076

T 202-641-9445

Personal Phone / Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." -- Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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To: Ford, Hayley[ford.hayley@epa.gov]
From: Ferguson, Lincoln
Sent: Wed 4/25/2018 7:32:45 PM
Subject: Fwd: Request for comment on hearings

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: "Friedman, Lisa" <lisa.friedman@nytimes.com>
Date: April 25, 2018 at 7:31:32 AM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, Press <Press@epa.gov>
Subject: Request for comment on hearings

Hi Liz & Jahan,

I'm running a story today that advances the congressional hearings at which Mr. Pruitt will testify Thursday.

The story will include and make reference to a document that I have, entitled "Hot Topics." The story will characterize this document as outlining Mr. Pruitt's potential responses to likely questions during the hearings.

Can you tell me who drafted this document? I'd also like to get a comment on whether it accurately describes answers that Mr. Pruitt has been prepped by staff to give.

I won't attach the actual document but for purposes of verifying its validity with you, this with you it begins:

HOT TOPICS

Condo

Kevin Minoli, EPA's principal deputy general counsel, in a March 30 memo determined that the rate for 30 consecutive days would have equated to a monthly rent of\$1,500. Minoli described that as “ reasonable market value.” He also found it did not constitute a "prohibited gift." I would be happy to provide that memo to your staff.

These, according to the document, are some of the other topics he is prepared to address — several of which I will make reference to in the story:

SCIF; Sweeping the office; Biometric Locks; Bullet proof vehicles and tires; Office Decoration; Netjets; G7 Trip; Staffing (Raises; Samantha Dravis; Alleged Reassignment of Staff); Sue and Settle; Super Fund Task Force; Travel; First Class Travel; Morocco; Non-Commercial Flights; Homebuilders Association Hotel; Advisory Panels (membership, grants); Definers Contract; Chlorpyrifos; Climate change strategic plan; Enforcement; Funding; DOJ Funding; emails; Environmental Justice; War on Lead; IRIS; grants process; meetings with industry; Narragansett Bay; Regulatory Task Force; Reorganizations; and VERA/ViSP.

Finally, the story will point out that, according to the preparations shown in this document, Mr. Pruitt may say that other people were responsible for the bulk of the recent spending and ethics issues like frequent first class travel, the SCIF and pay raises.

I will need a comment on this by 11 a.m, and of course if you have any other comment on Mr. Pruitt's plans for testifying before Congress tomorrow I will certainly include. I'll be out of pocket for the next hour but you can also call me on my cell after 8:30 a.m. if you'd like to speak directly.

Thanks so much,

Lisa

--

Lisa Friedman
Reporter, New York Times
(202) 862-0306 office
Personal Phone / Ex. 6

Attachment—Additional Questions for the Record

The Honorable John Shimkus

1. **OECA** This committee was instrumental in developing the Electronic Hazardous Waste Manifest Act of 2012, which requires EPA to replace the outdated paper documents with a new electronic system for tracking all hazardous waste shipments.
 - a. What are some of the other ways the hazardous waste program could be improved, particularly in terms of the elimination of duplicative and unnecessary regulations?
 - b. Is EPA pursuing any of these efforts?
2. **OAR** The previous Administration attempted to regulate farms and agricultural processors by saying that its 2009 Endangerment Finding regulated “biogenic” CO2 from agricultural crops. I understand The Endangerment Finding, however, never mentions the word “biogenic.”
 - a. Do you intend to look at this interpretation of the Endangerment Finding?
 - b. If so, would you view it in terms of whether EPA overreached to regulate natural CO2 from U.S. farms?
3. **OAR** On October 17, 2017, EPA's Air Enforcement Division sent a letter to the Ozone Transport Commission stating that the agency "agrees that the 1986 policy on aftermarket catalytic converter emissions is outdated."
 - a. What steps are being taken to update this policy?
 - b. Does the Agency have a timeline for this process?
4. There has been concern that EPA’s regional offices enforce their authority differently from each other and Headquarters guidance. Do you intend to bring alignment among EPA Headquarters and the Regions?

DRAFT RESPONSE:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

5. **OLEM** The Administration’s budget request zeroed out the funding to the Department of Justice for superfund-related enforcement activities and for cost recovery efforts for the superfund program. If the goal is to get more sites cleaned up and to speed up cleanups, that seems like an odd budget request since DOJ brings money back into the federal coffers from superfund polluters – can you explain to us why the president's budget request would zero out those funds?

6. **OLEM** On December 1, 2017 EPA issued a decision not to do a final rule regarding financial assurance requirements for the hard rock mining sector. Can you tell us what the status is of the 108(b) rule making for the other industry sectors that are next in line [chemical manufacturing, petroleum and coal products manufacturing, and the electric power generation, transmission, and distribution]?
7. **OLEM** EPA announced that it could be a year before it can start cleanup of the San Jacinto River Waste Pits, which sprung a leak during Hurricane Harvey flooding. Is that because EPA officials are in the process of negotiating with responsible parties to pay for the \$115 million project?
 - a. Does EPA have a plan to address the leaking cap in the meantime?
 - b. It was also announced that once the cleanup process starts, it is expected to take about 27 months. What safeguards will EPA put in place to ensure that more damage to the cap does not occur before the removal can be completed?
8. **OGC** Administrator Pruitt, in October you announced a new policy of the Agency regarding the use of settlements to circumvent the regulatory process and indicated that EPA “will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency.” The issue of “sue and settle” and the ability of special interest groups to use deadline lawsuits to force EPA to issue regulations that advance their priorities on a specified timeframe has long been a concern of this Subcommittee.
 - a. As you noted in your statement about the new policy, “‘sue and settle’ cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.” Has the Agency started implementing the changes?
 - b. There has been some pushback on your sue and settle proposal. How do you respond to the people, many of whom are former EPA attorneys, who say that the policy “discourages settlements when they would have been appropriate and increases agency costs?”
 - c. How do you differentiate between the negative aspects of sue and settle [lack of transparency etc. . .] and the positive? For example, regulated entities and EPA often reach agreement on a cleanup or enforcement issue, enter a settlement, and then file a lawsuit seeking court approval and enforcement of the settlement. Is your new “sue and settle” policy agency-wide? And is it a mandate to not use sue and settle in ways that shorten the administrative time it takes to get a cleanup or resolution of an enforcement action?
9. **OLEM** When was the last time EPA listed a Federal facility on the National Priorities List (NPL)?

- a. If a site scores high enough to rank on the Hazard Ranking System (HRS), will EPA list the Federal facility on the NPL?
 - b. How does OMB factor into the decision about whether to list a Federal facility on the NPL?
 - c. What if a Federal facility ranks on the HRS and the State in which it is located requests that the Federal facility be added to the NPL, will EPA list the Federal facility?
10. **OLEM/OGC** How do you reconcile Executive Order 12580 when it gives the polluter who is also the person paying for the cleanup, the right to make all of the decisions with respect to the remedy with no oversight from EPA?
11. **OLOEM** How will EPA build consistency into how the Regions manage CERCLA cleanups?
12. **OLOEM** What is the timing for the issuance of the Record of Decision for the Westlake Landfill in Bridgeton, Missouri?
13. **OLOEM** The Superfund Task Force conducted a 30-day review of the program and released 42 recommendations in July. The Task Force reemphasized long accepted concepts that are necessary to ensure remedies are consistent nationwide, data-driven, and efficient – such as adaptive management, early actions, technical oversight, and strengthening partnerships with stakeholders. You also revised the delegation of authority procedures to require that remedies potentially totaling more than \$50 million must receive approval from the Administrator, which will help promote regional accountability.
 - a. How have you been implementing the recommendations of the Task Force at sites with existing Records of Decision and how will you implement the recommendations with new cleanups?
 - b. How will EPA ensure that Regional offices closely follow the principles set forth by the Agency’s 2005 Sediment Guidance and the National Contingency Plan?
 - b. Since many of the Task Force’s recommendations require further action, what is your timeline and plan for next steps?

The Honorable David McKinley

1. **OAR** Mr. Administrator - when EPA finalized the “coal ash” regulations, they adopted in the self-implementing rule a “one-size-fits-all” approach that does not allow for the consideration of site specific, risk-based factors.

I appreciate that EPA has committed to reconsider elements of the rule. The timing of these revisions is critical to ensure that the power sector has regulatory certainty.

- a. Can you provide an update on how this process is going?
2. **OP/OAR** As you know, a federal district court ordered EPA in January this year to begin to implement section 321 of the clean air act. This provision from the late 1970s provides that the administrator “shall conduct continuing evaluation of potential loss or shifts in employment...”
 - a. What are your plans for implementing this provision? What can you tell us about your timeline?
 - b. Will you work with me to identify whether statutory changes will help make for a more useful and transparent section 321 program?
3. **OAR** Small refineries have an inherent hardship in complying with the renewable fuel standards. These refineries do not have the ability to pass the rin cost on to their customers. It would put them at a competitive disadvantage to do so.

Congress has clearly stated its intent regarding this.

- a. What is the agency doing to address streamlining and improving the hardship petition process?
4. **OAR** Mr. Administrator – we understand that one of your objectives at EPA is a revised federalism, including providing the states with a greater partnership role with EPA in administering and implementing environmental laws in the respective states. Congress’ recent enactment of the wiin act – which allows the states to implement the federal coal combustion residual – or “coal ash” – rules in lieu of the federal rule – is a perfect example of this philosophy and provides your administration with the opportunity to put this goal into action.

Unfortunately, however, we have heard from some of the states that EPA has been slow in reviewing and approving state program applications to operate the ccr rule in lieu of EPA. Indeed, we understand that not a *single* state application has been deemed complete by EPA, which is necessary to allow for the formal review process to begin.

- a. Can we get some assurances from you that the agency will accelerate this process?
5. **OAR** The EPA's Air Enforcement Division sent an October 17 letter to the Ozone Transport Commission stating it "agrees that the 1986 [aftermarket catalytic converter emissions] policy is outdated." We encourage you to look into this issue. U.S. manufacturing jobs are threatened and U.S. consumers are already being harmed by this outdated policy.

Are you aware of how U.S. manufacturers of aftermarket catalytic converters are being severely impacted by an outdated EPA policy guidance that guides the industry?”

The Honorable Marsha Blackburn

1. **OAR** An Obama-EPA rule from 2016 would have required glider kit vehicles – which are made with *old* engines, and are not new vehicles – to comply with Phase 2 EPA greenhouse gas emission standards that were targeted solely for *new* vehicles and engines. This rule would have had a devastating impact on the state of Tennessee, resulting in a loss of \$512 million-dollars in economic output and a loss of 947 jobs. The rule would have been particularly harmful for small businesses that create and sell refurbished trucks using glider kits, providing an alternative in the medium and heavy-duty truck market that is 25% less expensive than buying a new truck. Mr. Pruitt, I want to thank you on behalf of the hundreds of Tennesseans who still have their jobs because of your common-sense action to reverse the previous administration’s meritless and radical position.
 - a. Following up on that, do you agree that the needs of small business job creators should be taken into account when setting regulations that impact industries dominated by small businesses?
 - b. What can we do as a legislative body to ensure future abuses such as these do not take place again?
 - c. Can you discuss some of your efforts to reconsider regulations that pose an undue burden on small businesses?
2. **OP/OGC** In accordance with the President’s Executive Order 13777, your Agency began a process of reviewing EPA regulations in need of reform because they eliminate or inhibit job creation, are outdated, ineffective, or unnecessary, impose costs that exceed benefits, or create legal inconsistencies.
 - a. What is the status of this review?
 - b. What are your planned next steps?
 - c. What timeline do you envision for implementing the recommendations?
3. **OAR** On November 30, 2017, EPA finalized volume requirements under the Renewable Fuel Standard (RFS) program for 2018 for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel, and biomass-based diesel for 2019. The 2007 law shaping the RFS required EPA to study and report to Congress on whether the RFS will adversely impact air quality. To date, EPA has never completed that study. EPA was also required to report to Congress on the RFS’ impacts to the environment and resource conservation every three years. To date, EPA has issued only one report – in December 2011. Administrator Pruitt, when can Congress expect the EPA to comply with the law and provide the necessary studies?

The Honorable Gregg Harper

1. **OLEM** Mississippi is home to a significant forest products industry. The EPA, under the Obama Administration, drafted and imposed a wood products procurement regulation that allows only for Forest Stewardship Council – or FSC – certified products to be purchased by the government, which bars the purchase of products certified by other credible forest certification standards, such as the American Tree Farm System (ATFS) or Sustainable Forestry Initiative. This regulation, which is now under review, excludes a significant number of family forest owners in the United States with homegrown products certified by other reputable standards. 1) Could you please provide a status update on the current review process? 2) What potential changes can be made to improve this policy that currently puts American forest owners at a disadvantage?
2. **OW** In the 113th Congress, EPA was provided discretion over the allocation of approximately \$12.7 million in annually appropriated EPA technical assistance funding. The EPA used the discretion to eliminate the two full-time circuit rider technical assistance positions in Mississippi and other states. In response to concern raised by my rural and small community water constituents, I introduced legislation to reauthorize and direct the technical assistance funding to where it is most helpful. Senator Wicker’s companion bill was signed into law in 2015. I appreciate EPA’s July 25, 2017, response to a June 9, 2017, Senate letter in which EPA committed to following the intent of the Grassroots Rural and Small Community Water Systems Assistance Act (PL 114-98). 1) Could you please provide an update on implementation of the law and the possibility of the two-full time circuit rider technical assistance positions being re-established in Mississippi?

The Honorable Bill Johnson

1. **OAR** As is true in a lot of areas around the country, job creators in my district are having a difficult time obtaining New Source Review air permits in order to build or upgrade manufacturing facilities or power plants, which is hurting our local economy and employment opportunities. And, as the recent DOE report on electricity markets and grid reliability further emphasizes, “NSR creates an unnecessary burden that discourages... investments in efficiency because of the additional expenditures and delays associated with the permitting process”.
 - a. Do you agree that issuing New Source Review permits takes too long and is unnecessarily complex?
 - b. What is EPA doing to assess the impact of current NSR review requirements on decisions to modernize facilities and power plants?

- c. What reforms may EPA make administratively to improve the New Source Review permitting program so that we can continue to improve air quality and achieve economic growth?

The Honorable Kevin Cramer

1. **OAR** After 2022, EPA is required to set volumes for total renewable fuel, advanced biofuel, cellulosic biofuel, and biomass based diesel. The assumption is the total renewable fuel volume would contain some amount of conventional biofuel. The statute, however, does not set a minimum amount for conventional biofuel because it does not specify a minimum volume for the total renewable fuel. Thus, EPA could set the total renewable fuel volume as the same as the advanced biofuel volume.
 - a. Does the current statute have a specific requirements for corn-based ethanol until 2022?
 - b. Does the statute require a minimum volume of total renewable fuel for each year following 2022?
 - c. Is it your belief that after 2022, the RFS gives significant preference to advanced biofuels over conventional corn-based ethanol?
2. **OAR** The implied mandate for corn-based ethanol is set at 15 billion gallons until 2022. As the statute is written today, do you view this 15 billion gallons as a ceiling or a floor?
 - a. If floor: What in the statute leads you to believe the RFS will require more than 15 billion gallons of corn-based ethanol?
3. **OAR** The prior Administration proposed the Renewable Enhancement and Growth Support (REGS) Rule in 2016 and took comment on the potential for capturing RINS from renewable electricity used to charge electric vehicles.
 - a. Where does this proposal currently stand?
 - b. Is the EPA planning to continue to finalize the REGS Rule?
4. **OAR** A number of ethanol producers in my state have talked to me at length about the benefits of high-octane fuels which are said to provide substantial engine efficiency benefits. They indicated a wealth of information has been provided to the EPA in support of such a fuel with 30 percent ethanol.
 - a. Can automakers now certify their engines on these fuels?
 - b. If not, why not? If so, what is the process?

The Honorable Tim Walberg

1. **OLEM** Administrator Pruitt, one of the priorities of this Subcommittee has long been to, where appropriate, give more authority to the states and it has been suggested that there are aspects of the Superfund program that would be better handled by the states.
 - a. What are your thoughts on delegating portions of the CERCLA cleanup authority to states that can demonstrate the ability to conduct certain superfund cleanups?
2. **OCSPP** At present, there are no standard EPA methods for analyzing PFAS in environmental media, but EPA officials have stated the agency will have draft methods for water and solids by fall 2017. For the purpose of Michigan's continued engagement on this critical issue, as well as the betterment of EPA's developing approach to addressing PFAS nationwide, when do you expect these methodologies will be complete?
3. **OW** The EPA issued a drinking water health advisory for PFAS in May 2016, however, the advisory is non-enforceable and non-regulatory. Do you foresee changes to EPA's role in regulating PFAS contamination at the national level?
4. **OAR** In the Motor Fuels Act of 1988 Congress established a variety of alternate fuel incentives to be used by NHTSA in the administration of the CAFE fuel economy regulations. EPA originally used the same statutory incentives as NHTSA therefore vehicle emissions and fuel economy incentives were harmonized. But in 2012, under the previous administration, EPA diverged from this harmonization by favoring electric vehicles over other alternative fuel vehicles thereby nullifying Congressional intent. Do you think it would be good policy for EPA to return to its previous approach and harmonizing its emissions incentives with NHTSA's fuel economy incentives?

The Honorable Buddy Carter

1. **OAR** The EPA issued a review of the Phase 2 Greenhouse Gas Rule for Medium and Heavy-Duty Trucks and in November the EPA issued a statement on the review of glider kits. However, we haven't seen any announcements about progress with truck trailers. Are you currently reviewing trailers as part of the rule and if so, what is the status? Please provide an update on the rulemaking process and any progress that has been made.
2. **OLEM** Which recommendations from the Super Fund Task Force have been implemented?
3. **OLEM** The EPA recently announced the full or partial removal of Superfund sites from the National Priorities List. How many cleanups will the EPA pursue in 2018 and what will those be?
4. **OLEM** In June, the EPA announced an interim remedy for the Superfund site located at Terry Creek in my district. What is the status of that effort?

5. **OLEM** This committee has been looking to make sensible reforms to the program. Are there any legislative actions that this committee would need to take to aid in reforming the program?

The Honorable Michael Burgess

1. **OGC/OECA** In my State of Texas, we have become too familiar with the EPA making examples of a few people to scare everyone else into compliance. Could you explain why you are intentionally moving away from heavy handed regulatory treatment and moving more toward building partnerships with States and industry to improve the environment?
2. **OP** Some of your critics view the EPA as if it's a factory; where success is measured by the quantity of rules issued, grants passed out, or enforcement cases brought. Rarely do people size up EPA by compliance achieved or improvements in the environment. What goals, budgetary or otherwise, are you setting for individual programs and what metrics are being used to measure progress or success of an office or program?
3. **OLEM/OECA/OGC** I'd also like to touch on the spill at the Gold King Mine. Shortly after the spill occurred there, I visited the mine to observe the impact myself and was shocked by the severe the damage was at that time. Could you please provide me an update on the situation there and the status of the claims brought by the victims?
4. **OARM** EPA's authority to use the Title 42 hiring authority derives from an appropriations rider and not legislation originating from either the House Energy & Commerce or Senate Environment & Public Works Committees. Does the EPA intend to continue to use Title 42 to hire and pay new and existing employees under this authority?
 - a. Does EPA intend to formally ask the authorizing committees for special hiring authority or will it continue to base its authority on the appropriations rider?
 - b. Has EPA ever formally or informally requested such authority from the authorizing committees? If so, when?
 - c. Has the EPA ever proposed language similar to the Title 42 hiring authority be included in any of its authorizing legislation?
 - d. Does EPA intend to continue to request that the Appropriations Committee include this rider in future appropriations legislation?
 - e. Does EPA intend to ask the Appropriations Committee for any increase to the currently allowed number of employees it may pay under Title 42?

The Honorable Frank Pallone

Superfund:

OLEM During the hearing, you suggested that you proposed cutting the budget for Superfund cleanups because more money is not needed. You also said that there are very few orphan sites, meaning sites that will require public cleanup funds. However, in 2015, the Government Accountability Office found that as federal funding for cleanups has declined, the number of construction completions and remedial action completion declined while the number of National Priority List sites remained constant. In other words, less money buys fewer needed cleanups.

1. How many sites, exactly, on the National Priority List require public cleanup funds?

Environmental Justice:

OP/OLEM Since the issuance of Executive Order 12898 in 1994, EPA has been required to incorporate the goal of environmental justice into its mission. As part of that executive order, and in keeping with Title VI of the Civil Rights Act of 1964, EPA is required to ensure all of its activities that affect human health and the environment do not directly or indirectly discriminate on the basis of race, color, or national origin.

2. What are you doing to ensure that EPA's response and recovery efforts in Puerto Rico and the U.S. Virgin Islands comply with the Executive Order on environmental justice and the Civil Rights Act?

OP/OLEM Environmental justice is also a serious concern in the Agency's response to Hurricane Harvey because of disparities between communities affected by that storm.

3. What have you been doing to ensure that EPA's response and recovery efforts in Texas comply with the Executive Order on environmental justice and the Civil Rights Act?
4. What direction, if any, have you given to your Regional Administrators and other regional staff with regard to ensuring environmental justice in EPA's hurricane response? Please provide any memoranda or email correspondence you or your staff have sent to regional staff on the subject of environmental justice and hurricane response.
5. Who on your staff is tasked with coordinating response efforts across the regions to ensure equal treatment for the people of Puerto Rico and the U.S. Virgin Islands?

OP/OGC Since assuming your position as Administrator, you have delayed or abandoned numerous rules and regulations that would have protected vulnerable communities.

6. Do you believe that your decision to abandon EPA's proposed ban of the dangerous pesticide chlorpyrifos complies with the Executive Order on environmental justice and the Civil Rights Act?
7. Do you believe that your decision to delay the important amendments to the Risk Management Planning program complies with the Executive Order on environmental justice and the Civil Rights Act?

8. Do you believe that your actions delaying notifying communities that are out of attainment with the 2015 ozone National Ambient Air Quality Standard complies with the Executive Order on environmental justice and the Civil Rights Act?
9. Do you believe that your decision to repeal the Clean Power Plan complies with the Executive Order on environmental justice and the Civil Rights Act?
10. Do you believe that your decision to delay revisions to the Lead and Copper Rule complies with the Executive Order on environmental justice and the Civil Rights Act?

Management of Toxic Pesticides:

11. **OCSPP** Documents reveal that Monsanto employees may have ghostwritten scientific papers on glyphosate, including papers published in the journal *Regulatory Toxicology and Pharmacology*, which has an editorial board populated by industry scientists, lawyers and consultants with clear financial ties to the chemical industry. Has EPA relied on those studies in its evaluation of glyphosate?
12. **OCSPP** Did EPA rely on studies from that journal in its decision to deny the petition to ban chlorpyrifos?
13. **OCSPP** In 2015, the Food and Drug Administration (FDA) agreed with recommendations from GAO¹ that glyphosate monitoring should be done, but subsequently suspended its efforts to conduct that monitoring.² Documents suggest that this decision may have been made under pressure from an EPA employee working with Monsanto. Please provide any email or other correspondence between EPA employees and FDA employees regarding glyphosate monitoring.
14. **OCSPP** EPA's March 30 decision on chlorpyrifos will allow continued use of this dangerous pesticide on golf courses. Did trade associations representing the Trump Organization golf courses, or lobbyists who represent the Trump Organization, communicate with EPA, the White House, or the Trump transition team regarding the March 30 decision or chlorpyrifos in general?

Transparency:

OP/OGC Nearly thirty-five years ago, in his landmark "Fishbowl Memo," Administrator Ruckelshaus announced that he would release his appointment calendar on a weekly basis, and he directed the Deputy Administrator and all Assistant Administrators, Associate Administrators, Regional Administrators, and Staff Office Directors to do the same. Administrator Ruckelshaus emphasized that "EPA will not accord privileged status to any special interest group" and that the

¹ U.S. Government Accountability Office, "Food Safety: FDA and USDA Should Strengthen Pesticide Residue Monitoring Programs and Further Disclose Monitoring Limitations" (Nov. 6, 2014).

² Gillam, C. *FDA Suspends Testing for Glyphosate Residues in Food* (Nov. 11, 2016) (http://www.huffingtonpost.com/carey-gillam/fda-suspends-glyphosate-r_b_12913458.html)

public should be “fully aware of [top officials’] contacts with interested persons.” In the intervening decades, Administrators serving under both Democratic and Republican Administrations have upheld this practice. But your senior management team has yet to release its calendars, undermining agency transparency and raising questions about who may be accessing and influencing top EPA officials. EPA has recently provided the public with a “summary” of your calendar, and provided some heavily redacted records of your calendar through March 31. But the agency still has not released the actual records of your daily calendars since March, despite numerous FOIA requests for them.

15. Will you commit to making your schedule public on a regular basis, so that Congress, the press, and ordinary Americans can see who you are meeting with?
16. Will you commit to directing your senior officials to release their calendars on a regular basis?

OEI/OGC We are also concerned about delays in EPA’s response to FOIA requests under your administration. EPA’s failure to meet the deadlines specified in the Freedom of Information Act results in legal violations, which then subject EPA to repeated lawsuits.

17. Given the legal expenses and waste of resources caused by EPA’s failure to comply with FOIA deadlines, do you agree that EPA should streamline the review process for release of documents to eliminate any unnecessary steps, such as multiple levels of document review?
18. Do you think it is appropriate for political appointees and advisors to hold up the release of document for further review, even when documents have already been determined to be public documents not subject to FOIA exemptions by FOIA officers and FOIA attorney advisors?
19. Why would it be necessary for the documents to undergo a political review if they are public documents under the law?
20. It appears that EPA has now adopted a policy of responding to FOIA requests based only or primarily on the date of the request, regardless of the type of information requested, the simplicity of the request, or the relevance of the information to the public. Is that correct?
21. If not, please describe in detail the criteria that EPA is now using to prioritize processing FOIA requests?
22. Given EPA’s large backlog, under your current approach, how long will it be before you respond to a substantial number of requests regarding your tenure and release documents generated during your tenure (besides those documents that EPA releases when a lawsuit is filed)? Please provide an estimate in weeks, months, or years.
23. Will you establish a policy of responding to new FOIA requests on an ongoing basis, rather than relegating them to the back of the line and without waiting to be sued on each request?

OGC It has been reported that you and other political appointees have directed staff to avoid creating public records that could be subject to FOIA requests, such as directing staff to provide

internal policy decisions orally instead of by electronic mail or directing staff not to take notes in meetings.

24. Do you agree that EPA is required to create and maintain records that document the formulation of the agency's decisions, and the people and matters dealt with by the agency, so that proper scrutiny by Congress and other agencies is possible?
25. Have you or other political employees provided any direction to staff that could discourage them from creating such records?

Contract with Definers Public Affairs:

OPA/OGC On the day you testified before Energy and Commerce, EPA entered into a no-bid contract with Definers Public Affairs to provide “news analysis and brief service focusing on EPA work and other topics of interest to EPA.”³ The awarding of this contract without full and open competition to a company with no apparent experience in providing these services to a Federal agency is concerning, as are the political lobbying activities of the firm. Though Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA’s selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

26. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.
27. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?
28. Was Definers, AmericaRising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?
29. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?
30. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.

³ EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017)

31. On December 10, the New York Times published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration.⁴ EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.
32. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propoganda Prohibition and Anti-Lobbying provisions?
33. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

Enforcement:

OECA As noted above, on December 10, the New York Times published an article identifying an alarming decrease in enforcement actions during your administration. Specifically, their analysis shows your EPA has brought one quarter fewer cases than President George W. Bush's EPA and one-third fewer cases than President Barack Obama's EPA over comparable periods. The analysis also shows that you have sought significantly smaller amounts in civil penalties.

34. Can you explain why EPA has pursued fewer enforcement cases under your leadership?
35. Please describe any complaints you have received from communities/others who have been seeking, but apparently failing to receive relief from EPA from polluters?
36. Have you been asked by anyone in industry to change EPA's enforcement policies?
37. If so, please describe those conversations.
38. Can you explain any changes you have made to testing procedures and policies (e.g. requests for information) permitted by your regional offices, enforcement officers or other EPA staff, why those changes were made and what effect they have had on enforcement?

Co-Benefits of Air Rules:

OGC You have questioned EPA's prior evaluations of public health protections that have included "co-benefits" of deadly particulate matter.

39. Do you agree there is judicial precedent upholding EPA's approach to consider co-benefit pollution reductions?
40. Why or why not?

⁴ Eric Lipton and Danielle Ivory, *Under Trump, EPA has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers*, New York Times, (Dec. 10, 2017), <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

41. Are you planning to seek legal review of this matter?
42. Are you planning to try to change the way co-benefits, like PM2.5, are counted or considered in EPA rulemakings?
43. If so, why and what evidence do you have to support such a change?

Ozone:

OAR For the 2015 Ozone rule, the Clean Air Act required all states and Tribes to submit attainment designation recommendations by October 1, 2016, and EPA was required to finalize area designations a year after. On November 6, the agency issued attainment designations for those areas that meet the 2015 standard, however EPA failed to release any nonattainment designations. In response to questions about EPA missing deadlines associated with the 2015 Ozone rule, you said the delay was due to “information that has not been provided by the states.”

44. Please provide a list of all states or Tribes who have not submitted designation recommendations to EPA for the 2015 Ozone standard. What information is still outstanding from these states or Tribes?
45. To date, has EPA notified any states or Tribes that it intends to modify any of their recommended designations? Please provide the Committee with a list of these states or Tribes, and copies of the notice provided by EPA.
46. Have you been in contact with any industry representatives or states about delaying the implementation of the 2015 Ozone standard as it relates to finalizing the remaining designations? If so, please describe the nature of your meetings and communications.
47. The Unified Regulatory Agenda included a reference to using “additional time afforded by the designations extension to finalize necessary guidance” related to the 2015 Ozone standards. However, after legal challenges from states and others, you walked back your effort to delay implementation of these standards.
 - a. Can you clarify what “extension” this refers to in the Unified Agenda?
 - b. Why would EPA need an extension to issue remaining designations?
48. When can we expect EPA to issue the remaining designations?
49. Who is on the Ozone Compliance Task Force, and what is its roll in implementing the 2015 Ozone standard? Please provide the Committee with a list of participants, schedule, meetings, materials, and communications.

Climate Change:

50. **OAR** Federal courts have held that the quantity of emission reductions to be achieved is an important consideration in determining the “best system of emission reduction” for sources under section 111 of the Clean Air Act. What weight will you give to achieving significant emission reductions in considering a replacement for the Clean Power Plan?

OAR At the hearing you questioned the integrity of the rulemaking that led up to EPA’s December 2009 science-based finding that greenhouse gas pollution endangers public health and welfare. As you know, EPA received over 380,000 comments on the Endangerment Finding, responded to 10 petitions for reconsideration, and explained its determination in almost one thousand pages of documentation in the Federal Register and supporting technical documents. A three-judge panel of the D.C. Circuit unanimously upheld that finding in 2012 against a barrage of legal challenges, finding that it was supported by ample evidence and that EPA had appropriately relied on authoritative analyses by the Intergovernmental Panel on Climate Change, the U.S. government and other sources.

51. Please explain why you continue to question the process that led to the Endangerment Finding in light of this history and the D.C. Circuit’s decision?

OAR You recently stated that you intend to move forward imminently with a so-called “red team” exercise in which you will convene rival panels of scientists to debate climate science, just weeks after the Administration’s Global Change Research Program released a “Climate Science Special Report” confirming that human activities are “the dominant cause” of observed climate change, and that climate change is already having adverse impacts around the country. This report was authored by scientists from multiple Federal agencies, national laboratories, universities, and the private sector, and went through six stages of external review including review by the National Academies of Sciences, Engineering, and Medicine and an open public comment period.

52. Please explain why the “red team” exercise a good use of scarce Agency resources in light of the extraordinary research and review that the Administration invested in the CSSR?

Budget:

OCFO It was recently reported that officials at the Center for Disease Control and Prevention are being directed to not use seven words or phrases in official documents for the FY 2019 Budget. The forbidden words are “vulnerable,” “entitlement,” “diversity,” “transgender,” “fetus,” “evidence-based” and “science-based.”

53. Is EPA also barred from using “vulnerable,” “entitlement,” “diversity,” “transgender,” “fetus,” “evidence-based” or “science-based,” in official budget documents?
54. Does EPA have a list of forbidden words or phrases for official budget documents? If so, please provide the Committee with such list.

OCFO/OARM EPA has been experiencing a workforce reduction, including through the use of buy-outs.

55. Please detail the status of workforce reductions conducted to-date, during this administration, including overall net personnel reductions?
56. In what offices and programs have net reductions occurred?
57. Please detail the categories in which workforce reductions have occurred in 2017, such as buy-outs, other voluntary separations, reductions-in-force, etc.
58. In 2018, what additional workforce reductions are planned, assuming funding is available to accomplish them?
59. In which programs and offices are reductions planned?
60. What closures or other changes to the current EPA regional offices or labs are planned for 2018 or beyond?

The Honorable Paul Tonko

1. Travel to Morocco

OP On December 12, EPA issued a press release, “Administrator Pruitt Promotes Environmental Cooperation with U.S. Partners in Morocco.” While no members of the press accompanied you on this trip, it was reported that the purpose of the trip was to promote U.S. natural gas exports.

- a. Please provide an itinerary of your trip along with total estimated costs to U.S. taxpayers for you and any accompanying staff, including security details.
- b. How does promoting U.S. LNG exports fit into your “Back to Basics” agenda?
- c. What authority does EPA have related to the exportation, sale, or promotion of U.S. LNG?
- d. Please provide a list of companies, trade associations, or natural gas industry representatives that you or your staff have been in contact with regarding U.S. LNG exports. Please provide all records, communications, emails, meeting attendance or materials for any of these interactions.
- e. This trip was not publicly announced until EPA issued a press release once you had already arrived in Morocco. Moving forward, will you commit to publicly announcing all foreign and domestic trips prior to traveling?

2. Science at EPA

ORD/OAR In the draft FY 2018-2022 EPA Strategic Plan, you have promised to “prioritize robust science.” Under Objective 3.3 of the draft plan, you say that “EPA will identify, assess, conduct, and apply the best available science to address current and future environmental hazards, develop new approaches, and improve the scientific foundation for environmental protection decisions.”

- a. Do you commit to ensuring that the EPA's actions and policies are guided by the latest climate science, as reflected in Volume 1 of the Fourth National Climate Assessment (also known as the Climate Science Special Report or CSSR), and as described in statements and reports from the National Academy of Sciences?
- b. Do you agree with the CSSR's conclusion that "it is *extremely likely* that human influence has been the dominant cause of the observed warming since the mid-20th century... For the warming over the last century, there is no convincing alternative explanation supported by the extent of the observational evidence"?
- c. Do you commit to making information about climate change prominently available on the EPA's website, alongside information about other critical issues related to human health and the environment?
- d. Regarding the October 31 Science Advisory Board directive, can you please provide specific examples of when an EPA grant recipient on an advisory committee provided conflicted advice?
- e. On October 22, the New York Times reported, "E.P.A. Cancels Talk on Climate Change by Agency Scientists." Why were EPA scientists prohibited from speaking at a Rhode Island conference on climate change?
- f. Moving forward, will EPA scientists have the opportunity to communicate publicly about their research?

3. **Advisors to the Administrator**

OP/OGC On December 13, it was reported that Dr. Michael Dourson withdrew his name to serve as Assistant Administrator for the Office of Chemical Safety and Pollution Prevention.

- a. In October, it was reported that Dr. Dourson was already working at the agency as an Adviser to the Administrator. Can you confirm whether Dr. Dourson has left the agency?
- b. If not, what are the roles and responsibilities of Dr. Dourson?
- c. What ethics or conflict of interest agreements apply or applied to Dr. Dourson in his role as Advisor to the Administrator?
- d. You testified that the October 31 Science Advisory Board directive was driven by a concern that "a perception or an appearance of a lack of independence in advising the Agency." Did any EPA leadership have a conversation or express concerns about the perception of conflict of interest from Dr. Nancy Beck's involvement in revising the TSCA framework rules after leaving a position with the American Chemistry Council?

4. **Enforcement Actions and Monitoring**

OCFO On December 10, the New York Times reported that EPA regional staff must seek authorization from HQ before asking companies to track their emissions. Monitoring is critical to ensure that the environmental and health gains that have been made in recent decades are not undone. Power generating facilities in the Midwest emit sulfur dioxide and nitrogen oxides, which are the major precursors of acid rain which has caused the acidification of many Adirondack lakes and ponds.

- a. The Adirondack Lake Survey Corporation receives EPA funding for long-term monitoring of water quality recovery from acid rain. Do you support continuation of this long-term monitoring funding?

5. Hudson River Superfund Site

OLEM The State of New York has stated that the Hudson River PCB cleanup has not met the goals of the program, and that additional action is needed. Federal Natural Resource Trustees have also expressed concerns. The EPA Region II office does not appear to acknowledge the scientific basis of the state's and Trustee's analysis.

- a. Will EPA reconsider the recommendations of the Second Five-Year Review Report in light of the analysis done by the State and Trustee agencies?

6. OIG

OGC The Office of Inspector General (OIG) Semiannual Report: April 1, 2017 - September 30, 2017 raised a number of issues about interference with the OIG's independence. From that report:

"A second budget impediment occurred when the OIG submitted an FY 2019 request for \$62 million to the agency for inclusion in the President's budget. Without seeking input from the OIG, the agency provided us with a request of \$42 million. The agency informed the OIG that the Office of Management and Budget mandated budget requests Semiannual Report to Congress April 1, 2017—September 30, 2017 13 could not be more than a certain percentage above the President's FY 2018 budget. The EPA also informed the OIG that the \$42 million request would not change. The OIG submitted a memorandum to the Office of Management and Budget stating the OIG's original budget request, and explaining that the EPA's submitted budget did not reflect the OIG's desired funding levels and would have significant negative impacts on OIG operations."

- a. Do you believe a fully funded, independent Inspector General is necessary for EPA to run as an efficient and accountable agency?

7. IRIS

- a. **ORD** How do you view the role of IRIS relative to ensuring full implementation of the TSCA program?
- b. **ORD** Will you commit to fully supporting the IRIS program?

The Honorable Diana DeGette

1. **OAR** Methane is up to 34 times more potent a greenhouse gas than carbon dioxide and makes up approximately ten percent of annual greenhouse gas emissions in the United States. Despite the harm methane can cause, the EPA has proposed delaying rules that would have curbed methane emissions from oil and gas industry sources. The proposed delay of the 2016 methane rule published in the Federal Register on June 16, 2017, states “the EPA believes that the environmental health or safety risk addressed by this action may have a disproportionate effect on children.”
 - a. Do you agree that children would be disproportionately affected by delaying methane emissions restrictions on the oil and gas industry?
 - b. What are the estimated costs of the health impact on children?
2. **OCSPP** During your testimony we discussed the decision on a final rule concerning methylene chloride use in paint stripper. You promised to review the status of the rule and provide an update soon after the hearing. Rules concerning N-methylpyrrolidone (NMP) and trichloroethylene (TCE) were proposed at the same time. Prohibitions against certain uses of NMP and methylene chloride were removed from the Fall 2017 Unified Agenda of Regulatory and Deregulatory Actions.
 - a. The Fall Unified Agenda was released on December 14, one week after your testimony before the committee. At what point was the decision made to remove the NMP and methylene chloride rules from the Unified Agenda?
 - b. When will EPA finalize the rules for TCE, NMP, and methylene chloride under TSCA?
 - c. What role did Michael Dourson have as an EPA adviser in determining the timeline for these rules?
3. **OLEM** In response to the explosion at the West Fertilizer Plant in Texas in 2013, EPA developed updates (the “Chemical Disaster Rule”) to Risk Management Plans (RMP) requirements. This update would have included common sense reforms, including improved accident prevention provisions and enhancements to emergency response preparation. In June 2017, the implementation of this rule was delayed. The rule had been in development for three years and was subject to more than 40,000 public comments.
 - a. During Hurricane Harvey, the Arkema Chemical plant in Crosby, Texas, experience fires due to a failure of emergency generators and backup cooling systems. First responders have filed suit against Arkema alleging that Arkema misrepresented the threat posed by chemicals at the site. A situation like this, where first responders

cannot adequately prepare to respond to emergencies at chemical production facilities, is the sort of circumstances that the Chemical Disaster Rule was designed to avoid. Have the events at the Arkema plant, where first responders were put at risk, caused you to reconsider the delay of the Chemical Disaster Rule?

- b. The proposed EPA budget for fiscal year 2018 reduced funding for inspection of sites under the RMP by 35 percent, straining a program that only has 30 inspectors for 12,500 sites. In light of the number of facilities that need to be inspected, the low frequency of inspection, and the specter of climate change related extreme weather events like Hurricane Harvey, do you still feel the cuts to the inspection program are prudent?
- 4. **OW/OCSPP** The Climax Molybdenum Mining company in Colorado has asked the state of Colorado to relax limits on molybdenum allowed in runoff from the Climax mine in Summit County Colorado. Molybdenum is on the Contaminant Candidate List 4 (CCL-4). It was also on the CCL-3. Currently, states have minimal guidance from the EPA on the potential hazards of molybdenum in drinking water.
 - a. Is EPA currently collecting data on the health or environmental impacts of molybdenum in drinking water?
 - b. Will molybdenum be part of the Regulatory Determination 4 process going forward?
- 5. **OLEM** For more than two years, I have been focused on addressing the environmental damage caused by the August 2015 release of toxic mine water from Gold King mine in San Juan County, Colorado.
 - a. I was glad to see the Bonita Peak Mining District (which includes Gold King mine) was included on the list EPA released on December 8, 2017, of sites targeted for “immediate, intense action.” Can you elaborate on the action EPA plans to take in the Bonita Peak Mining District and the expected timeline?
 - b. On December 17, 2017, the *Denver Post* reported on the success of cleanup efforts related to toxic Argentine Mine complex near Rico, Colorado. The article noted that the part of the success is that the private company legally responsible for cleaning up the site has invested “tens of millions of dollars” in the cleanup compared to less than \$5 million the EPA has invested in the cleanup of Gold King. What additional funding will EPA invest in the Gold King cleanup?
 - c. On October 19, 2017, the *Denver Post* reported that there is uncertainty regarding the ongoing costs association with the water treatment plant EPA is operating to clean up water from Gold King Mine. The annual cost of operating the plant is \$1.2 million and it produces toxic sludge while purifying the runoff. What is the EPA’s long-term plan for the plant costs?
 - d. What is the status of finding a permanent solution for the waste sludge from the plant?

The Honorable Jerry McNerney

1. **OAR** At the December 7th hearing, I stated that less than half of the U.S. population was included in the ozone designations laid out by the EPA. Though this statement was not made in the form of a question, Administrator Pruitt interjected, proclaiming that the lack of inclusion was due to missing information that needs to be submitted by states. However, on the EPA's website, there is a full list of state recommendations from 2015. Will the Administrator please explain his statement and what information is missing from which states?

To: Levine, Carolyn[Levine.Carolyn@epa.gov]; Albores, Richard[Albores.Richard@epa.gov]; Moody, Christina[Moody.Christina@epa.gov]; Gomez, Laura[Gomez.Laura@epa.gov]
Cc: OGC HQ ADDs[OGC_HQ_ADDs@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; OGC Immediate Office MGMT[OGC_Immediate_Office_MGMT@epa.gov]; Lewis, Jen[Lewis.Jen@epa.gov]; Michaud, John[Michaud.John@epa.gov]; Redden, Kenneth[Redden.Kenneth@epa.gov]
From: Packard, Elise
Sent: Fri 1/26/2018 9:45:38 PM
Subject: RE: CONSOLIDATED RESPONSES re: 12.7.17 Environment Subcmte Hearing - DUE TODAY COB (4PM)

Looks good to me

Elise B. Packard
Associate General Counsel for Civil Rights and Finance
U.S. EPA Office of General Counsel, Rm. 7353C
(202) 564-7729

From: Levine, Carolyn
Sent: Friday, January 26, 2018 4:44 PM
To: Albores, Richard <Albores.Richard@epa.gov>; Moody, Christina <Moody.Christina@epa.gov>; Gomez, Laura <Gomez.Laura@epa.gov>
Cc: OGC HQ ADDs <OGC_HQ_ADDs@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; OGC Immediate Office MGMT <OGC_Immediate_Office_MGMT@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Michaud, John <Michaud.John@epa.gov>; Packard, Elise <Packard.Elise@epa.gov>; Redden, Kenneth <Redden.Kenneth@epa.gov>
Subject: RE: CONSOLIDATED RESPONSES re: 12.7.17 Environment Subcmte Hearing - DUE TODAY COB (4PM)

Deliberative Process / Ex. 5

Burgess 3.
R8/OLEM/OGC I'd also like to touch on the spill at the Gold King Mine. Shortly after the spill occurred there, I visited the mine to observe the impact myself and was shocked by the severe the damage was at that time. Could you please provide me an update on the situation there and the status of the claims brought by the victims?

Deliberative Process / Ex. 5

From: Albores, Richard

Sent: Friday, January 26, 2018 4:13 PM

To: Moody, Christina <Moody.Christina@epa.gov>; Gomez, Laura <Gomez.Laura@epa.gov>

Cc: Feeley, Drew (Robert) <Feeley.Drew@epa.gov>; OGC HQ ADDs <OGC_HQ_ADDs@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; OGC Immediate Office MGMT <OGC_Immediate_Office_MGMT@epa.gov>; Jones, Monica <Jones.Monica@epa.gov>; Moser, Rebecca <Moser.Rebecca@EPA.GOV>; Jones-Parra, Lisa <Jones-Parra.Lisa@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>

Subject: CONSOLIDATED RESPONSES re: 12.7.17 Environment Subcmte Hearing - DUE TODAY COB (4PM)

QFRs assigned to OGC as sole/joint author

Shimkus

8. OGC (Immediate Office) Administrator Pruitt, in October you announced a new policy of the Agency regarding the use of settlements to circumvent the regulatory process and indicated that EPA "will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency." The issue of "sue and settle" and the ability of special interest groups to use deadline lawsuits to force EPA to issue regulations that advance their priorities on a specified timeframe has long been a concern of this Subcommittee.

As you noted in your statement about the new policy, "'sue and settle' cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars."

Has the Agency started implementing the changes?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

There has been some pushback on your sue and settle proposal. How do you respond to the people, many of whom are former EPA attorneys, who say that the policy "discourages settlements when they would have been appropriate and increases agency costs?"

Deliberative Process / Ex. 5

How do you differentiate between the negative aspects of sue and settle [lack of transparency etc...] and the positive? For example, regulated entities and EPA often reach agreement on a cleanup or enforcement issue, enter a settlement, and then file a lawsuit seeking court approval and enforcement of the settlement. Is your new "sue and settle" policy agency-wide? And is it a mandate to not use sue and settle in ways that shorten the administrative time it takes to get a cleanup or resolution of an enforcement action?

Deliberative Process / Ex. 5

10. OLEM/OGC (SWERLO and CCILO) How do you reconcile Executive Order 12580 when it gives the polluter who is also the person paying for the cleanup, the right to make all of the decisions with respect to the remedy with no oversight from EPA?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Blackburn

2. OP/OGC (CCILO) In accordance with the President's Executive Order 13777, your Agency began a process of reviewing EPA regulations in need of reform because they eliminate or inhibit job creation, are outdated, ineffective, or unnecessary, impose costs that exceed benefits, or create legal inconsistencies.

- a. What is the status of this review?

Deliberative Process / Ex. 5

- b. What are your planned next steps?

Deliberative Process / Ex. 5

- c. What timeline do you envision for implementing the recommendations?

Deliberative Process / Ex. 5

Burgess

1. REFERRED TO OECA In my State of Texas, we have become too familiar with the EPA making examples of a few people to scare everyone else into compliance. Could you explain why you are intentionally moving away from heavy handed regulatory treatment and moving more toward building partnerships with States and industry to improve the environment?

3. OLEM/R8/OECA/OGC I'd also like to touch on the spill at the Gold King Mine. Shortly after the spill occurred there, I visited the mine to observe the impact myself and was shocked by the severe the damage was at that time. Could you please provide me an update on the situation there and the status of the claims brought by the victims?

Deliberative Process / Ex. 5

Pallone

OP/OLEM/OGC (ECRCO/CRFLO/CCILO) Since the issuance of Executive Order 12898 in 1994, EPA has been required to incorporate the goal of environmental justice into its mission. As part of that executive order, and in keeping with Title VI of the

Civil Rights Act of 1964, EPA is required to ensure all of its activities that affect human health and the environment do not directly or indirectly discriminate on the basis of race, color, or national origin. **Deliberative Process / Ex. 5**

1. What are you doing to ensure that EPA's response and recovery efforts in Puerto Rico and the U.S. Virgin Islands comply with the Executive Order on environmental justice and the Civil Rights Act?

Deliberative Process / Ex. 5

OP/OLEM/OGC **(ECRCO/CRFLO/CCILO)** Environmental justice is also a serious concern in the Agency's response to Hurricane Harvey because of disparities between communities affected by that storm. **Deliberative Process / Ex. 5**

1. What have you been doing to ensure that EPA's response and recovery efforts in Texas comply with the Executive Order on environmental justice and the Civil Rights Act?

Deliberative Process / Ex. 5

2. What direction, if any, have you given to your Regional Administrators and other regional staff with regard to ensuring environmental justice in EPA's hurricane response? Please provide any memoranda or email correspondence you or your staff have sent to regional staff on the subject of environmental justice and hurricane response.

Deliberative Process / Ex. 5

3. Who on your staff is tasked with coordinating response efforts across the regions to ensure equal treatment for the people of Puerto Rico and the U.S. Virgin Islands?

Deliberative Process / Ex. 5

OP/ OGC **(ECRCO/CRFLO/CCILO)** Since assuming your position as Administrator, you have delayed or abandoned numerous rules and regulations that would have protected vulnerable communities. **Deliberative Process / Ex. 5**

6. Do you believe that your decision to abandon EPA's proposed ban of the dangerous pesticide chlorpyrifos complies with the Executive Order on environmental justice and the Civil Rights Act?

Deliberative Process / Ex. 5

7. Do you believe that your decision to delay the important amendments to the Risk Management Planning program complies with the Executive Order on environmental justice and the Civil Rights Act?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

8. Do you believe that your actions delaying notifying communities that are out of attainment with the 2015 ozone National Ambient Air Quality Standard complies with the Executive Order on environmental justice and the Civil Rights Act?

Deliberative Process / Ex. 5

9. Do you believe that your decision to repeal the Clean Power Plan complies with the Executive Order on environmental justice and the Civil Rights Act?

Deliberative Process / Ex. 5

10. Do you believe that your decision to delay revisions to the Lead and Copper Rule complies with the Executive Order on environmental justice and the Civil Rights Act?

Deliberative Process / Ex. 5

OP/OGC (GLO and CCILO) Nearly thirty-five years ago, in his landmark “Fishbowl Memo,” Administrator Ruckelshaus announced that he would release his appointment calendar on a weekly basis, and he directed the Deputy Administrator and all Assistant Administrators, Associate Administrators, Regional Administrators, and Staff Office Directors to do the same. Administrator Ruckelshaus emphasized that “EPA will not accord privileged status to any special interest group” and that the public should be “fully aware of [top officials’] contacts with interested persons.” In the intervening decades, Administrators serving under both Democratic and Republican Administrations have upheld this practice. But your senior management team has yet to release its calendars, undermining agency transparency and raising questions about who may be accessing and influencing top EPA officials. EPA has recently provided the public with a “summary” of your calendar, and provided some heavily redacted records of your calendar through March 31. But the agency still has not released the actual records of your daily calendars since March, despite numerous FOIA requests for them.

Deliberative Process / Ex. 5

15. Will you commit to making your schedule public on a regular basis, so that Congress, the press, and ordinary Americans can see who you are meeting with? OP

My calendar is publically available at: <https://www.epa.gov/senior-leaders-calendars/calendar-scott-pruitt-administrator>

16. Will you commit to directing your senior officials to release their calendars on a regular basis?

Calendars for senior officials are publically available.

OEI/OGC (GLO and FEAT) We are also concerned about delays in EPA’s response to FOIA requests under your administration. EPA’s failure to meet the deadlines specified in the Freedom of Information Act results in legal violations, which then subject EPA to repeated lawsuits. [SEE COMMENTS IN ATTACHED DRAFT]

17. Given the legal expenses and waste of resources caused by EPA’s failure to comply with FOIA deadlines, do you agree that EPA should streamline the review process for release of documents to eliminate any unnecessary steps, such as multiple levels of document review?

Deliberative Process / Ex. 5

18. Do you think it is appropriate for political appointees and advisors to hold up the release of document for further review, even when documents have already been determined to be public documents not subject to FOIA exemptions by FOIA officers and FOIA attorney advisors?

Deliberative Process / Ex. 5

19. Why would it be necessary for the documents to undergo a political review if they are public documents under the law?

Deliberative Process / Ex. 5

20. It appears that EPA has now adopted a policy of responding to FOIA requests based only or primarily on the date of the request, regardless of the type of information requested, the simplicity of the request, or the relevance of the information to the public. Is that correct?

Deliberative Process / Ex. 5

21. If not, please describe in detail the criteria that EPA is now using to prioritize processing FOIA requests?

Deliberative Process / Ex. 5

22. Given EPA's large backlog, under your current approach, how long will it be before you respond to a substantial number of requests regarding your tenure and release documents generated during your tenure (besides those documents that EPA releases when a lawsuit is filed)? Please provide an estimate in weeks, months, or years.

The table below provides information on FOIA requests the Agency has received and closed in recent months:

Month	Received	Closed *
January 2017	957	897
February 2017	897	818
March 2017	1180	1040
April 2017	1036	901
May 2017	1165	1007
June 2017	1101	936
July 2017	962	795
August 2017	988	795
September 2017	850	641
October 2017	1147	863
November 2017	923	699

* The table shows how many FOIAs have been received each month, and how many of those FOIAs have been closed as of January 26, 2018.

23. Will you establish a policy of responding to new FOIA requests on an ongoing basis, rather than relegating them to the back of the line and without waiting to be sued on each request?

Deliberative Process / Ex. 5

OGC/OEI (GLO) It has been reported that you and other political appointees have directed staff to avoid creating public records that could be subject to FOIA requests, such as directing staff to provide internal policy decisions orally instead of by electronic mail or directing staff not to take notes in meetings. [SEE COMMENTS IN ATTACHED DRAFT]

24. Do you agree that EPA is required to create and maintain records that document the formulation of the agency's decisions, and the people and matters dealt with by the agency, so that proper scrutiny by Congress and other agencies is possible?

Deliberative Process / Ex. 5

25. Have you or other political employees provided any direction to staff that could discourage them from creating such records?

Deliberative Process / Ex. 5

Contract with Definers Public Affairs:

OPA/OGC (CRFLO) On the day you testified before Energy and Commerce, EPA entered into a no-bid contract with Definers Public Affairs to provide "news analysis and brief service focusing on EPA work and other topics of interest to EPA." The awarding of this contract without full and open competition to a company with no apparent experience in providing these services to a Federal agency is concerning, as are the political lobbying activities of the firm. Though Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA's selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

Deliberative Process / Ex. 5

26. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.

27. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?

28. Was Definers, AmericaRising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?

29. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?

30. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.

31. On December 10, the New York Times published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration. EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in

the agency's response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.

32. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propaganda Prohibition and Anti-Lobbying provisions?

33. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

Tonko

3. Advisors to the Administrator

OP/OGC (**Ethics**) On December 13, it was reported that Dr. Michael Dourson withdrew his name to serve as Assistant Administrator for the Office of Chemical Safety and Pollution Prevention.

a. In October, it was reported that Dr. Dourson was already working at the agency as an Adviser to the Administrator. Can you confirm whether Dr. Dourson has left the agency?

OGC/ETHICS:

Deliberative Process / Ex. 5

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b. If not, what are the roles and responsibilities of Dr. Dourson?

Deliberative Process / Ex. 5

c. What ethics or conflict of interest agreements apply or applied to Dr. Dourson in his role as Advisor to the Administrator? (**ETHICS**)

Deliberative Process / Ex. 5

d. You testified that the October 31 Science Advisory Board directive was driven by a concern that "a perception or an appearance of a lack of independence in advising the Agency." Did any EPA leadership have a conversation or express concerns about the perception of conflict of interest from Dr. Nancy Beck's involvement in revising the TSCA framework rules after leaving a position with the American Chemistry Council?

Deliberative Process / Ex. 5

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a. Do you believe a fully funded, independent Inspector General is necessary for EPA to run as an efficient and accountable agency?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

R

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**RICHARD L. ALBORES**

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**To:** Albores, Richard[Albores.Richard@epa.gov]; Moody, Christina[Moody.Christina@epa.gov]; Gomez, Laura[Gomez.Laura@epa.gov]  
**Cc:** OGC HQ ADDs[OGC\_HQ\_ADDs@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; OGC Immediate Office MGMT[OGC\_Immediate\_Office\_MGMT@epa.gov]; Lewis, Jen[Lewis.Jen@epa.gov]; Michaud, John[Michaud.John@epa.gov]; Packard, Elise[Packard.Elise@epa.gov]; Redden, Kenneth[Redden.Kenneth@epa.gov]  
**From:** Levine, Carolyn  
**Sent:** Fri 1/26/2018 9:43:48 PM  
**Subject:** RE: CONSOLIDATED RESPONSES re: 12.7.17 Environment Subcmte Hearing - DUE TODAY COB (4PM)

# Deliberative Process / Ex. 5

## Burgess 3.

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# Deliberative Process / Ex. 5

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**From:** Albores, Richard  
**Sent:** Friday, January 26, 2018 4:13 PM  
**To:** Moody, Christina <Moody.Christina@epa.gov>; Gomez, Laura <Gomez.Laura@epa.gov>  
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**Subject:** CONSOLIDATED RESPONSES re: 12.7.17 Environment Subcmte Hearing - DUE TODAY COB (4PM)

**QFRs assigned to OGC as sole/joint author**

**Shimkus**

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

Blackburn

2. OP/OGC (CCILO) In accordance with the President’s Executive Order 13777, your Agency began a process of reviewing EPA

regulations in need of reform because they eliminate or inhibit job creation, are outdated, ineffective, or unnecessary, impose costs that exceed benefits, or create legal inconsistencies.

a. What is the status of this review?

**Deliberative Process / Ex. 5**

b. What are your planned next steps?

**Deliberative Process / Ex. 5**

c. What timeline do you envision for implementing the recommendations?

**Deliberative Process / Ex. 5**

### Burgess

1. REFERRED TO OECA In my State of Texas, we have become too familiar with the EPA making examples of a few people to scare everyone else into compliance. Could you explain why you are intentionally moving away from heavy handed regulatory treatment and moving more toward building partnerships with States and industry to improve the environment?

3. OLEM/R8/OECA/OGC I'd also like to touch on the spill at the Gold King Mine. Shortly after the spill occurred there, I visited the mine to observe the impact myself and was shocked by the severe the damage was at that time. Could you please provide me an update on the situation there and the status of the claims brought by the victims?

**Deliberative Process / Ex. 5**

### Pallone

OP/OLEM/OGC (ECRCO/CRFLO/CCILO) Since the issuance of Executive Order 12898 in 1994, EPA has been required to incorporate the goal of environmental justice into its mission. As part of that executive order, and in keeping with Title VI of the Civil Rights Act of 1964, EPA is required to ensure all of its activities that affect human health and the environment do not directly or indirectly discriminate on the basis of race, color, or national origin. **Deliberative Process / Ex. 5**

1. What are you doing to ensure that EPA's response and recovery efforts in Puerto Rico and the U.S. Virgin Islands comply with the Executive Order on environmental justice and the Civil Rights Act?

**Deliberative Process / Ex. 5**

OP/OLEM/OGC (ECRCO/CRFLO/CCILO) Environmental justice is also a serious concern in the Agency's response to Hurricane

1. What have you been doing to ensure that EPA's response and recovery efforts in Texas comply with the Executive Order on environmental justice and the Civil Rights Act?

## Deliberative Process / Ex. 5

2. What direction, if any, have you given to your Regional Administrators and other regional staff with regard to ensuring environmental justice in EPA's hurricane response? Please provide any memoranda or email correspondence you or your staff have sent to regional staff on the subject of environmental justice and hurricane response.

## Deliberative Process / Ex. 5

3. Who on your staff is tasked with coordinating response efforts across the regions to ensure equal treatment for the people of Puerto Rico and the U.S. Virgin Islands?

## Deliberative Process / Ex. 5

OP/ OGC (ECRCO/CRFLO/CCIOLO) Since assuming your position as Administrator, you have delayed or abandoned numerous rules and regulations that would have protected vulnerable communities.

Deliberative Process / Ex. 5

6. Do you believe that your decision to abandon EPA's proposed ban of the dangerous pesticide chlorpyrifos complies with the Executive Order on environmental justice and the Civil Rights Act?

## Deliberative Process / Ex. 5

7. Do you believe that your decision to delay the important amendments to the Risk Management Planning program complies with the Executive Order on environmental justice and the Civil Rights Act?

## Deliberative Process / Ex. 5

8. Do you believe that your actions delaying notifying communities that are out of attainment with the 2015 ozone National Ambient Air Quality Standard complies with the Executive Order on environmental justice and the Civil Rights Act?

## Deliberative Process / Ex. 5

9. Do you believe that your decision to repeal the Clean Power Plan complies with the Executive Order on environmental justice and the Civil Rights Act?

## Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

10. Do you believe that your decision to delay revisions to the Lead and Copper Rule complies with the Executive Order on environmental justice and the Civil Rights Act?

# Deliberative Process / Ex. 5

OP/OGC (GLO and CCILO) Nearly thirty-five years ago, in his landmark “Fishbowl Memo,” Administrator Ruckelshaus announced that he would release his appointment calendar on a weekly basis, and he directed the Deputy Administrator and all Assistant Administrators, Associate Administrators, Regional Administrators, and Staff Office Directors to do the same. Administrator Ruckelshaus emphasized that “EPA will not accord privileged status to any special interest group” and that the public should be “fully aware of [top officials’] contacts with interested persons.” In the intervening decades, Administrators serving under both Democratic and Republican Administrations have upheld this practice. But your senior management team has yet to release its calendars, undermining agency transparency and raising questions about who may be accessing and influencing top EPA officials. EPA has recently provided the public with a “summary” of your calendar, and provided some heavily redacted records of your calendar through March 31. But the agency still has not released the actual records of your daily calendars since March, despite numerous FOIA requests for them.

## Deliberative Process / Ex. 5

15. Will you commit to making your schedule public on a regular basis, so that Congress, the press, and ordinary Americans can see who you are meeting with? OP

**My calendar is publicly available at:** <https://www.epa.gov/senior-leaders-calendars/calendar-scott-pruitt-administrator>

16. Will you commit to directing your senior officials to release their calendars on a regular basis?

**Calendars for senior officials are publicly available.**

OEI/OGC (GLO and FEAT) We are also concerned about delays in EPA’s response to FOIA requests under your administration. EPA’s failure to meet the deadlines specified in the Freedom of Information Act results in legal violations, which then subject EPA to repeated lawsuits.

## Deliberative Process / Ex. 5

17. Given the legal expenses and waste of resources caused by EPA’s failure to comply with FOIA deadlines, do you agree that EPA should streamline the review process for release of documents to eliminate any unnecessary steps, such as multiple levels of document review?

# Deliberative Process / Ex. 5

18. Do you think it is appropriate for political appointees and advisors to hold up the release of document for further review, even when documents have already been determined to be public documents not subject to FOIA exemptions by FOIA officers and FOIA attorney advisors?

# Deliberative Process / Ex. 5

19. Why would it be necessary for the documents to undergo a political review if they are public documents under the law?

# Deliberative Process / Ex. 5

## Deliberative Process / Ex. 5

20. It appears that EPA has now adopted a policy of responding to FOIA requests based only or primarily on the date of the request, regardless of the type of information requested, the simplicity of the request, or the relevance of the information to the public. Is that correct?

## Deliberative Process / Ex. 5

21. If not, please describe in detail the criteria that EPA is now using to prioritize processing FOIA requests?

## Deliberative Process / Ex. 5

22. Given EPA's large backlog, under your current approach, how long will it be before you respond to a substantial number of requests regarding your tenure and release documents generated during your tenure (besides those documents that EPA releases when a lawsuit is filed)? Please provide an estimate in weeks, months, or years.

**The table below provides information on FOIA requests the Agency has received and closed in recent months:**

| Month          | Received | Closed * |
|----------------|----------|----------|
| January 2017   | 957      | 897      |
| February 2017  | 897      | 818      |
| March 2017     | 1180     | 1040     |
| April 2017     | 1036     | 901      |
| May 2017       | 1165     | 1007     |
| June 2017      | 1101     | 936      |
| July 2017      | 962      | 795      |
| August 2017    | 988      | 795      |
| September 2017 | 850      | 641      |
| October 2017   | 1147     | 863      |
| November 2017  | 923      | 699      |
| December 2017  | 724      | 444      |

\* The table shows how many FOIAs have been received each month, and how many of those FOIAs have been closed as of January 26, 2018.

23. Will you establish a policy of responding to new FOIA requests on an ongoing basis, rather than relegating them to the back of the line and without waiting to be sued on each request?

## Deliberative Process / Ex. 5

OGC/OEI (GLO) It has been reported that you and other political appointees have directed staff to avoid creating public records that could be subject to FOIA requests, such as directing staff to provide internal policy decisions orally instead of by electronic mail or

directing staff not to take notes in meetings. [SEE COMMENTS IN ATTACHED DRAFT]

24. Do you agree that EPA is required to create and maintain records that document the formulation of the agency's decisions, and the people and matters dealt with by the agency, so that proper scrutiny by Congress and other agencies is possible?

## Deliberative Process / Ex. 5

25. Have you or other political employees provided any direction to staff that could discourage them from creating such records?

## Deliberative Process / Ex. 5

### Contract with Definers Public Affairs:

OPA/OGC (CRFLO) On the day you testified before Energy and Commerce, EPA entered into a no-bid contract with Definers Public Affairs to provide "news analysis and brief service focusing on EPA work and other topics of interest to EPA." The awarding of this contract without full and open competition to a company with no apparent experience in providing these services to a Federal agency is concerning, as are the political lobbying activities of the firm. Though Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA's selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

### Deliberative Process / Ex. 5

26. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.

27. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?

28. Was Definers, AmericaRising, or any of their agents involved in creating or funding the website [ConfirmPruitt.com](http://ConfirmPruitt.com)?

29. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website [ConfirmPruitt.com](http://ConfirmPruitt.com), or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?

30. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.

31. On December 10, the New York Times published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration. EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.

32. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propaganda Prohibition and Anti-Lobbying provisions?

33. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

### Tonko

3. Advisors to the Administrator

OP/OGC (Ethics) On December 13, it was reported that Dr. Michael Dourson withdrew his name to serve as Assistant Administrator for the Office of Chemical Safety and Pollution Prevention.

a. In October, it was reported that Dr. Dourson was already working at the agency as an Adviser to the Administrator. Can you confirm whether Dr. Dourson has left the agency?

OGC/ETHICS:

### Deliberative Process / Ex. 5

### Deliberative Process / Ex. 5

b. If not, what are the roles and responsibilities of Dr. Dourson?

# Deliberative Process / Ex. 5

- c. What ethics or conflict of interest agreements apply or applied to Dr. Dourson in his role as Advisor to the Administrator? (ETHICS)

# Deliberative Process / Ex. 5

- d. You testified that the October 31 Science Advisory Board directive was driven by a concern that “a perception or an appearance of a lack of independence in advising the Agency.” Did any EPA leadership have a conversation or express concerns about the perception of conflict of interest from Dr. Nancy Beck’s involvement in revising the TSCA framework rules after leaving a position with the American Chemistry Council?

# Deliberative Process / Ex. 5

6. OIG

OGC (GLO or CRFLO) The Office of Inspector General (OIG) Semiannual Report: April 1, 2017 - September 30, 2017 raised a number of issues about interference with the OIG’s independence. From that report:

“A second budget impediment occurred when the OIG submitted an FY 2019 request for \$62 million to the agency for inclusion in the President’s budget. Without seeking input from the OIG, the agency provided us with a request of \$42 million. The agency informed the OIG that the Office of Management and Budget mandated budget requests Semiannual Report to Congress April 1, 2017—September 30, 2017 13 could not be more than a certain percentage above the President’s FY 2018 budget. The EPA also informed the OIG that the \$42 million request would not change. The OIG submitted a memorandum to the Office of Management and Budget stating the OIG’s original budget request, and explaining that the EPA’s submitted budget did not reflect the OIG’s desired funding levels and would have significant negative impacts on OIG operations.”

- a. Do you believe a fully funded, independent Inspector General is necessary for EPA to run as an efficient and accountable agency?

# Deliberative Process / Ex. 5

R

~~~~~  
RICHARD L. ALBORES

Associate Deputy General Counsel * Office of General Counsel * U.S. EPA * 1200 Pennsylvania Avenue, NW * MC2310A * Washington, DC 20460 * email: albores.richard@epa.gov * phone: 202.564.7102 * mobile: Personal Phone / Ex. 6

To: Grantham, Nancy[Grantham.Nancy@epa.gov]; Greg D'Andrea[Greg.DAndrea@cision.com]
From: Ben Fritz
Sent: Fri 12/29/2017 5:31:55 PM
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy,
Short answer is that Bulletin is not on the GSA schedule. Unfortunately the GSA is not a good match for a custom-built service like ours for several reasons. I'm traveling currently, but can provide more color next week if helpful.
Best,
Ben

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Friday, December 29, 2017 12:16:44 PM
To: Greg D'Andrea
Cc: Ben Fritz
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Thanks for the call – will send some info shortly.

Also, is Bulletin Intelligence on the GSA schedule? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Greg D'Andrea [mailto:Greg.DAndrea@cision.com]
Sent: Friday, December 29, 2017 10:33 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Ben Fritz <bfritz@bulletinintelligence.com>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy - Let me know if you can still join now. Ben and I are on the line. Dial in below...

Nonresponsive Conference Code / Ex. 6

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com



From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 5:50:25 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]

Sent: Thursday, December 28, 2017 5:46 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Great - I've just sent the invite. Call-in details are in the location field.

Talk tomorrow!

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com

CISION

From: Grantham, Nancy <Grantham.Nancy@epa.gov>

Sent: Thursday, December 28, 2017 5:21:18 PM

To: Greg D'Andrea

Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

I could do 10:30 – can you send a scheduler with a number to call? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]

Sent: Thursday, December 28, 2017 5:18 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy - are you available earlier tomorrow - say 9:30, 10 or 10:30?

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greg.dandrea@cision.com

CISION

From: Grantham, Nancy <Grantham.Nancy@epa.gov>

Sent: Thursday, December 28, 2017 1:46:37 PM

To: Greg D'Andrea

Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Would 1 or 2 work for you? thanks ng

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Office of Public Affairs
US Environmental Protection Agency
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From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]

Sent: Thursday, December 28, 2017 1:44 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Sure what time?

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p 203.506.7178

greg.dandrea@cision.com

CISION

From: Grantham, Nancy <Grantham.Nancy@epa.gov>

Sent: Thursday, December 28, 2017 1:41:21 PM

To: Greg D'Andrea

Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Would tomorrow work? Thanks ng

Nancy Grantham

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From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]

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Hi Nancy - just looking to see if you still want to connect this week or if we should wait till next week.

Let me know and Happy New Year!

-Greg

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p 203.506.7178

greg.dandrea@cision.com

CISION

From: Greg D'Andrea

Sent: Wednesday, December 27, 2017 3:04:50 PM

To: Grantham, Nancy

Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Sure thing Nancy. When do you have time to discuss this week? I'm in both tomorrow and Friday.

Greg D'Andrea

Account Director

p 203.506.7178

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Tuesday, December 26, 2017 4:22:30 PM
To: Greg D'Andrea
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Let's discuss when we connect later this week.

Thanks ng

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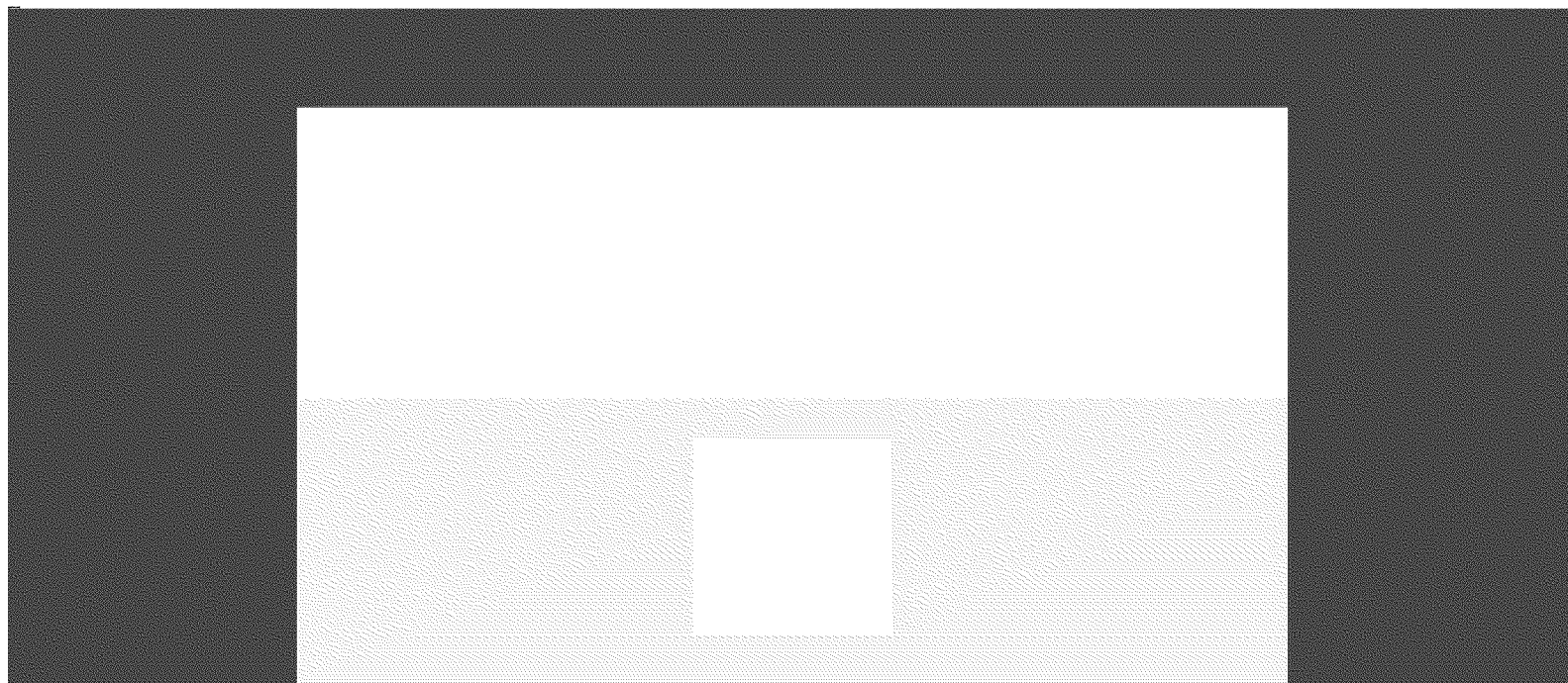
From: Grantham, Nancy
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To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

This is good news as they include real time monitoring which was a feature of definers.

Thanks ng

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Sent: Tuesday, December 26, 2017 11:30 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities



Cision® Acquires PRIME Research

Hello Nancy,

I am excited to announce that Cision® has signed a definitive agreement to acquire PRIME Research, a global leader in media measurement services – enhancing Cision's role as a leader of software and services for communications professionals. This acquisition furthers Cision's goal of becoming the one-stop provider for brands who want to identify their ideal influencers, craft engaging campaigns, and attribute meaningful value to those campaigns. It also bolsters the business value of the Cision Communications Cloud®, our all-in-one platform for communicators.

Combining the expertise of the two companies will improve our ability to help communicators transform their overall media mix to deliver greater value and, of increasing importance, better measure the ROI of their earned media efforts. Some of the largest brands in the world rely on both Cision and PRIME to deliver on that measurement challenge.

PRIME is a global company with offices in Europe, North American and Asia-Pacific. They have over 500 clients and service some of the world's most prestigious brands such as MasterCard, Jaguar and Honda. They bring to Cision additional capabilities with respect to real-time monitoring and analysis across digital, print, TV, and online news. It also includes a wide range of social media outlets, including Twitter, Facebook, Google+, YouTube, blogs, forums, WeChat and Weibo. PRIME provides clients with a highly customizable dashboard for their news and media monitoring 24 hours a day. In addition to its global reach, PRIME has deep industry expertise across many different verticals including, automotive, retail and technology. The IP and know-how developed through gaining expertise within these verticals will be made available to all Cision customers.

Today's announcement comes on the heels of Cision's acquisition of CEDROM-SNi Inc., a firm specializing in digital media monitoring solutions. Stay tuned for future announcements that will further detail the many ways these acquisitions will benefit you as we integrate additional capabilities into the Cision Communications Cloud platform.

To learn more about the acquisition or Cision Communications Cloud, please contact us at executivecommunications@cision.com or visit cision.com.

Best,
Kevin Akeroyd
CEO, Cision

Cision® Acquires PRIME Research

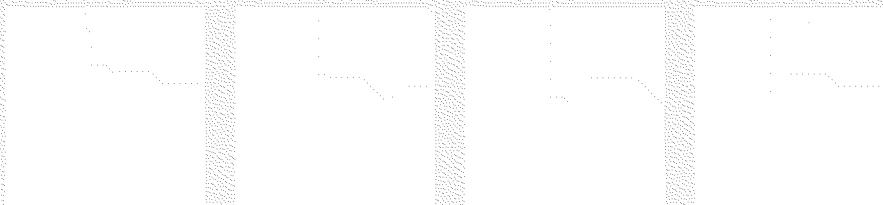
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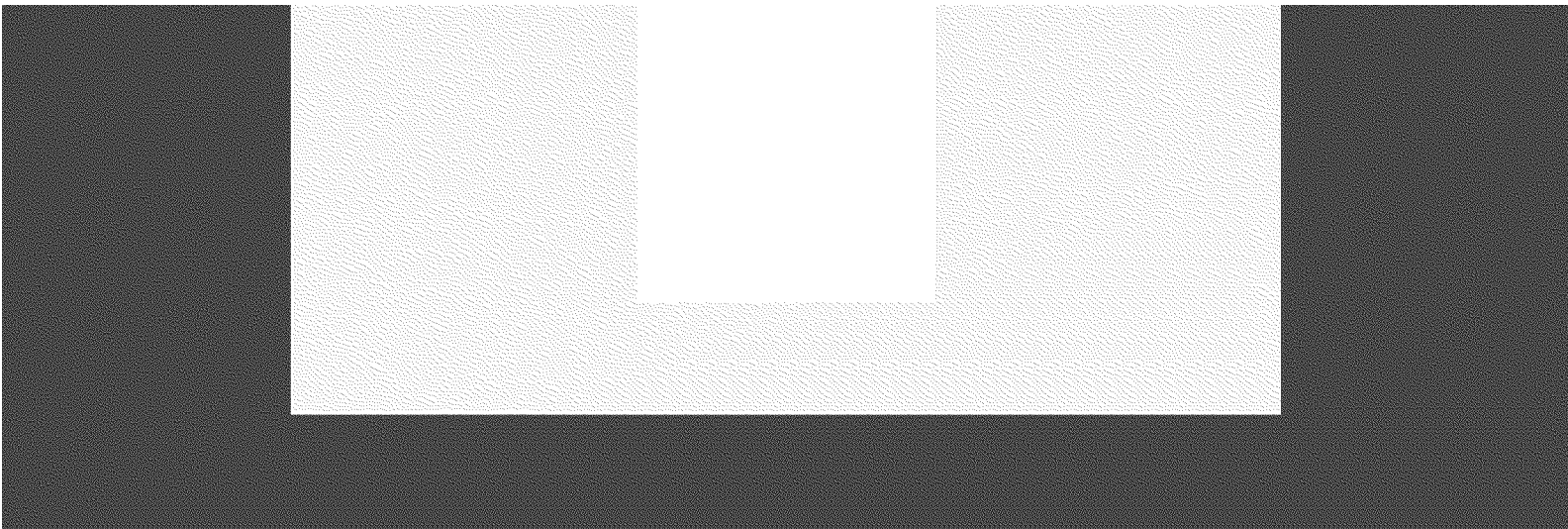
130 E Randolph St. 7th Floor Chicago, IL 60601, USA

www.cision.com

This email was sent to grantham.nancy@epa.gov by Cision US.

If you no longer wish to receive these emails you may [unsubscribe](#) at any time.





To: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Greg D'Andrea
Sent: Thur 12/28/2017 10:46:15 PM
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

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PRIME is a global company with offices in Europe, North American and Asia-Pacific. They have over 500 clients and service some of the world's most prestigious brands such as MasterCard, Jaguar and Honda. They bring to Cision additional capabilities with respect to real-time monitoring and analysis across digital, print, TV, and online news. It also includes a wide range of social media outlets, including Twitter, Facebook, Google+, YouTube, blogs, forums, WeChat and Weibo. PRIME provides clients with a highly customizable dashboard for their news and media monitoring 24 hours a day. In addition to its global reach, PRIME has deep industry

expertise across many different verticals including, automotive, retail and technology. The IP and know-how developed through gaining expertise within these verticals will be made available to all Cision customers.

Today's announcement comes on the heels of Cision's acquisition of CEDROM-SNi Inc., a firm specializing in digital media monitoring solutions. Stay tuned for future announcements that will further detail the many ways these acquisitions will benefit you as we integrate additional capabilities into the Cision Communications Cloud platform.

To learn more about the acquisition or Cision Communications Cloud, please contact us at executivecommunications@cision.com or visit cision.com.

Best,
Kevin Akeroyd
CEO, Cision

Cision® Acquires PRIME Research

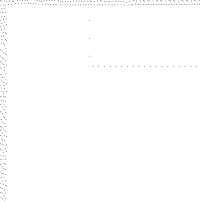
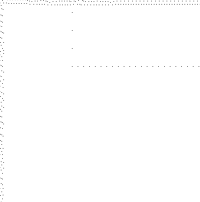
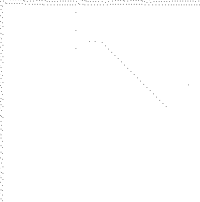
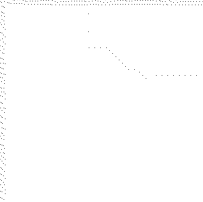
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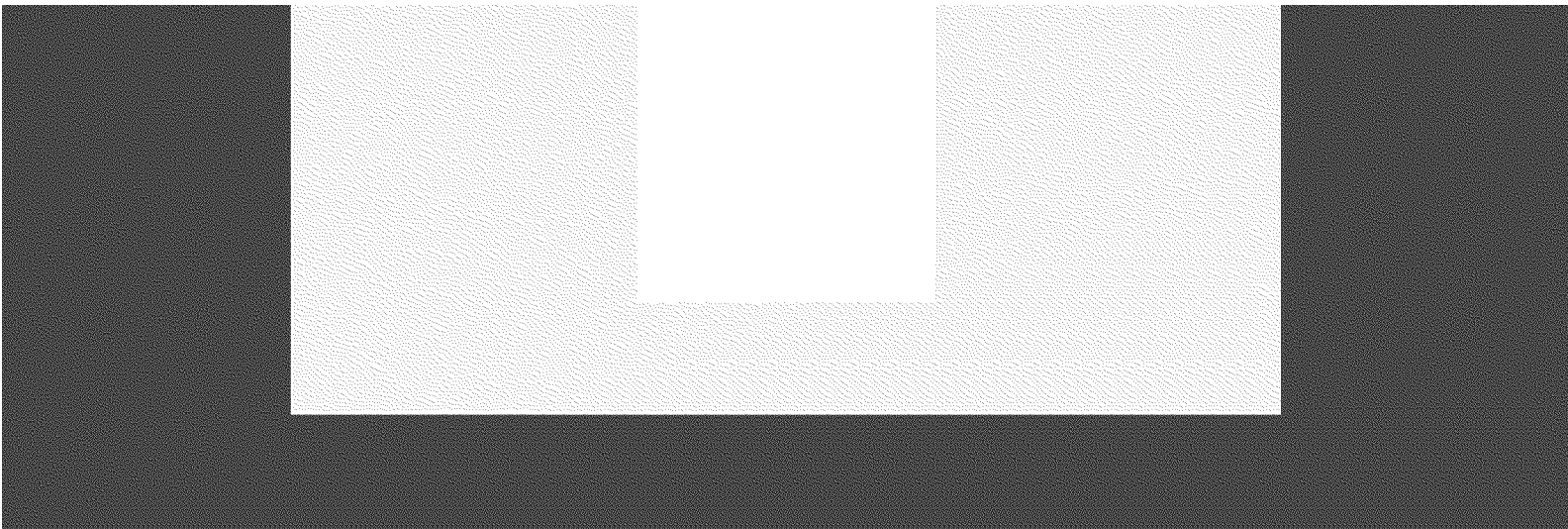
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To: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Greg D'Andrea
Sent: Thur 12/28/2017 10:17:41 PM
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy - are you available earlier tomorrow - say 9:30, 10 or 10:30?

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com



From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 1:46:37 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Would 1 or 2 work for you? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Greg D'Andrea [mailto:Greg.DAndrea@cision.com]
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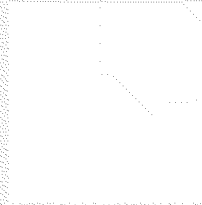
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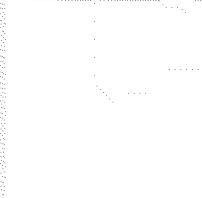
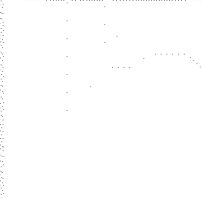
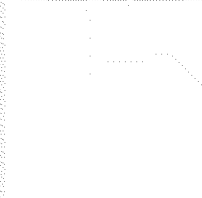
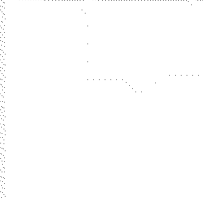
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From: Greg D'Andrea
Sent: Thur 12/28/2017 6:52:44 PM
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

That works for me and at the very least, you and I can chat. But I'm also checking internally with the person from Bulletin. Will confirm as soon as I hear back.

-G

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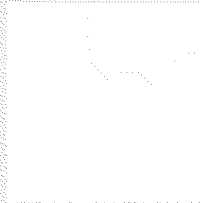
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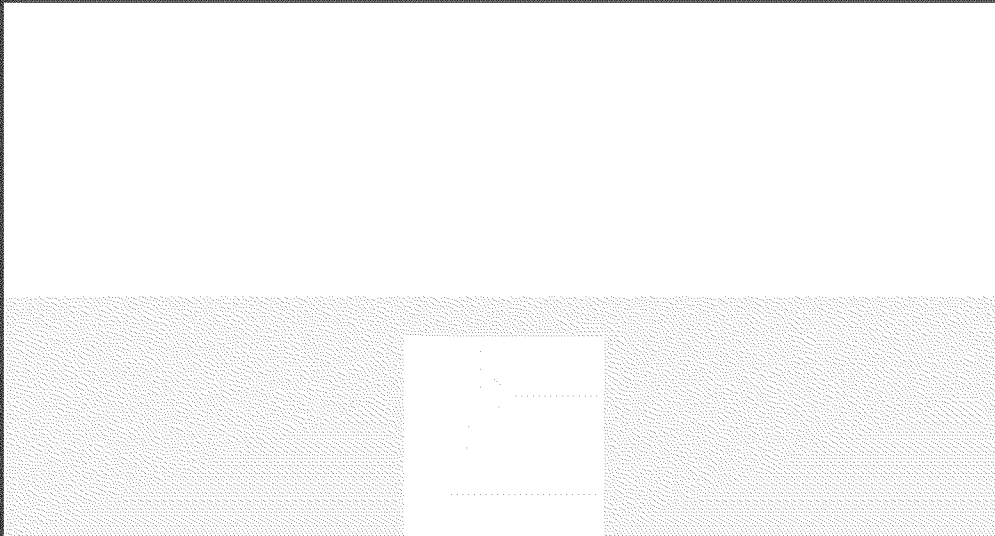
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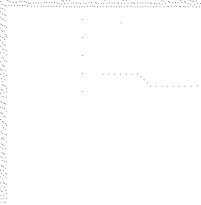
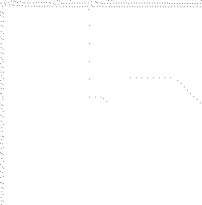
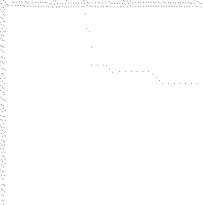
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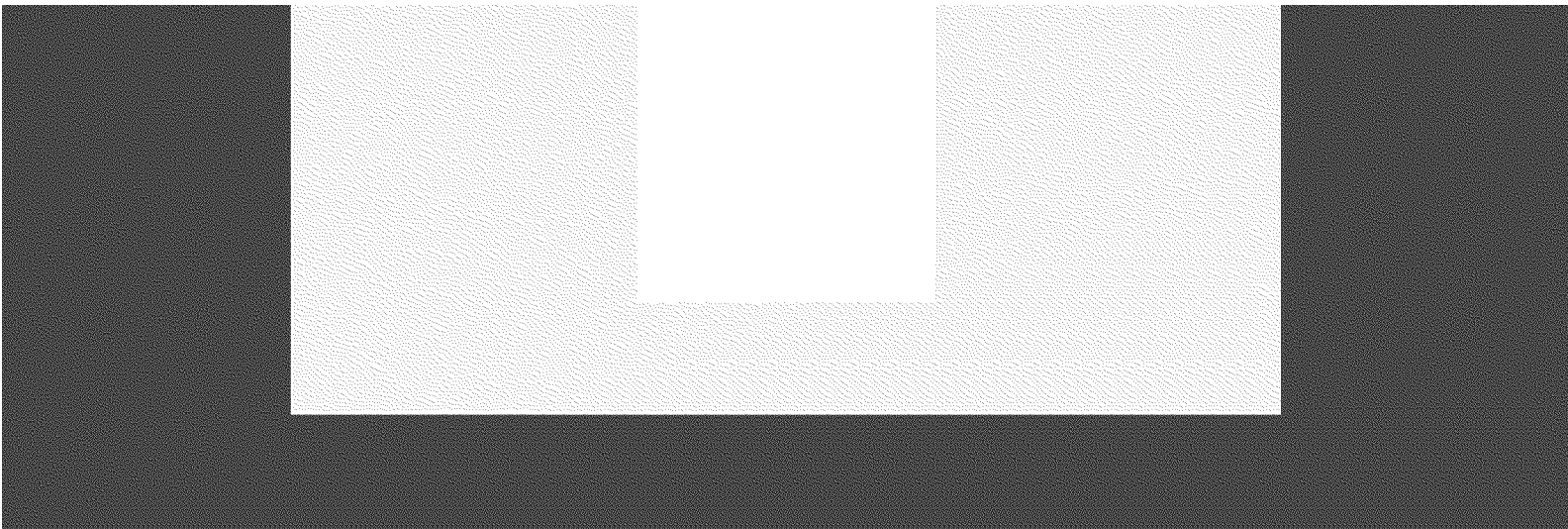
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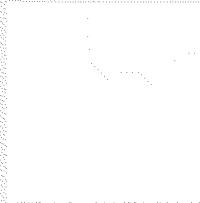
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To: Albores, Richard[Albores.Richard@epa.gov]; Gomez, Laura[Gomez.Laura@epa.gov]
Cc: Feeley, Drew (Robert)[Feeley.Drew@epa.gov]; OGC HQ ADDs[OGC_HQ_ADDs@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; OGC Immediate Office MGMT[OGC_Immediate_Office_MGMT@epa.gov]; Jones, Monica[Jones.Monica@epa.gov]; Moser, Rebecca[Moser.Rebecca@EPA.GOV]; Jones-Parra, Lisa[Jones-Parra.Lisa@epa.gov]; Levine, Carolyn[Levine.Carolyn@epa.gov]
From: Moody, Christina
Sent: Fri 1/26/2018 9:21:12 PM
Subject: RE: CONSOLIDATED RESPONSES re: 12.7.17 Environment Subcmte Hearing - DUE TODAY COB (4PM)

Thank you!

Christina J. Moody
US Environmental Protection Agency
Office of Congressional Affairs & Intergovernmental Relations
Moody.Christina@epa.gov

From: Albores, Richard
Sent: Friday, January 26, 2018 4:13 PM
To: Moody, Christina <Moody.Christina@epa.gov>; Gomez, Laura <Gomez.Laura@epa.gov>
Cc: Feeley, Drew (Robert) <Feeley.Drew@epa.gov>; OGC HQ ADDs <OGC_HQ_ADDs@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; OGC Immediate Office MGMT <OGC_Immediate_Office_MGMT@epa.gov>; Jones, Monica <Jones.Monica@epa.gov>; Moser, Rebecca <Moser.Rebecca@EPA.GOV>; Jones-Parra, Lisa <Jones-Parra.Lisa@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>
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QFRs assigned to OGC as sole/joint author

Shimkus

8. OGC (Immediate Office) Administrator Pruitt, in October you announced a new policy of the Agency regarding the use of settlements to circumvent the regulatory process and indicated that EPA “will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency.” The issue of “sue and settle” and the ability of special interest groups to use deadline lawsuits to force EPA to issue regulations that advance their priorities on a specified timeframe has long been a concern of this Subcommittee.

As you noted in your statement about the new policy, “‘sue and settle’ cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.”
Has the Agency started implementing the changes? **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

There has been some pushback on your sue and settle proposal. How do you respond to the people, many of whom are former EPA attorneys, who say that the policy "discourages settlements when they would have been appropriate and increases agency costs?"

Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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a. What is the status of this review?

Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

18. Do you think it is appropriate for political appointees and advisors to hold up the release of document for further review, even when documents have already been determined to be public documents not subject to FOIA exemptions by FOIA officers and FOIA attorney advisors?

Deliberative Process / Ex. 5

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The table below provides information on FOIA requests the Agency has received and closed in recent months:

Month	Received	Closed *
January 2017	957	897
February 2017	897	818
March 2017	1180	1040
April 2017	1036	901
May 2017	1165	1007

June 2017	1101	936
July 2017	962	795
August 2017	988	795
September 2017	850	641
October 2017	1147	863
November 2017	923	699
December 2017	724	444

* The table shows how many FOIAs have been received each month, and how many of those FOIAs have been closed as of January 26, 2018.

23. Will you establish a policy of responding to new FOIA requests on an ongoing basis, rather than relegating them to the back of the line and without waiting to be sued on each request?

Deliberative Process / Ex. 5

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25. Have you or other political employees provided any direction to staff that could discourage them from creating such records?

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OPA/OGC (CRFLO) On the day you testified before Energy and Commerce, EPA entered into a no-bid contract with Definers Public Affairs to provide "news analysis and brief service focusing on EPA work and other topics of interest to EPA." The awarding of this contract without full and open competition to a company with no apparent experience in providing these services to a Federal agency is concerning, as are the political lobbying activities of the firm. Though Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA's selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

Deliberative Process / Ex. 5

26. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.

27. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?

28. Was Definers, AmericaRising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?

29. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?
30. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.
31. On December 10, the New York Times published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration. EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.
32. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propaganda Prohibition and Anti-Lobbying provisions?
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Tonko

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OP/OGC (Ethics) On December 13, it was reported that Dr. Michael Dourson withdrew his name to serve as Assistant Administrator for the Office of Chemical Safety and Pollution Prevention.

- a. In October, it was reported that Dr. Dourson was already working at the agency as an Adviser to the Administrator. Can you confirm whether Dr. Dourson has left the agency?

OGC/ETHICS:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

- b. If not, what are the roles and responsibilities of Dr. Dourson?

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- d. You testified that the October 31 Science Advisory Board directive was driven by a concern that "a perception or an appearance of a lack of independence in advising the Agency." Did any EPA leadership have a conversation or express concerns about the perception of conflict of interest from Dr. Nancy Beck's involvement in revising the TSCA framework rules after leaving a position with the American Chemistry Council?

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Deliberative Process / Ex. 5

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**RICHARD L. ALBORES**

Associate Deputy General Counsel \* Office of General Counsel \* U.S. EPA \* 1200 Pennsylvania Avenue, NW \* MC2310A \* Washington, DC 20460 \* email: [albores.richard@epa.gov](mailto:albores.richard@epa.gov) \* phone: 202.564.7102 \* mobile: Personal Phone / Ex. 6



**To:** Moody, Christina[Moody.Christina@epa.gov]; Gomez, Laura[Gomez.Laura@epa.gov]  
**Cc:** Feeley, Drew (Robert)[Feeley.Drew@epa.gov]; OGC HQ ADDs[OGC\_HQ\_ADDs@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; OGC Immediate Office MGMT[OGC\_Immediate\_Office\_MGMT@epa.gov]; Jones, Monica[Jones.Monica@epa.gov]; Moser, Rebecca[Moser.Rebecca@EPA.GOV]; Jones-Parra, Lisa[Jones-Parra.Lisa@epa.gov]; Levine, Carolyn[Levine.Carllyn@epa.gov]  
**From:** Albores, Richard  
**Sent:** Fri 1/26/2018 9:12:44 PM  
**Subject:** CONSOLIDATED RESPONSES re: 12.7.17 Environment Subcmte Hearing - DUE TODAY COB (4PM)  
[NRMP Response to Q24 and Q25 OGC cmts\\_rj.docx](#)  
[EJ QFRs \(002\).mmo \(006\).docx](#)  
[FOIA QFRs from 12-7-2017 House Env Subcomm - Draft 1-26 V3.docx](#)

QFRs assigned to OGC as sole/joint author

Shimkus

8. OGC (Immediate Office) Administrator Pruitt, in October you announced a new policy of the Agency regarding the use of settlements to circumvent the regulatory process and indicated that EPA “will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency.” The issue of “sue and settle” and the ability of special interest groups to use deadline lawsuits to force EPA to issue regulations that advance their priorities on a specified timeframe has long been a concern of this Subcommittee.

As you noted in your statement about the new policy, “‘sue and settle’ cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.”  
Has the Agency started implementing the changes?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

# Deliberative Process / Ex. 5

There has been some pushback on your sue and settle proposal. How do you respond to the people, many of whom are former EPA attorneys, who say that the policy "discourages settlements when they would have been appropriate and increases agency costs?"

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| June 2017      | 1101     | 936      |
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**Tonko**

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**Deliberative Process / Ex. 5**

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**Deliberative Process / Ex. 5**

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RICHARD L. ALBORES

Associate Deputy General Counsel * Office of General Counsel * U.S. EPA * 1200 Pennsylvania Avenue NW * MC2310A *
Washington, DC 20460 * email: albores.richard@epa.gov * phone: 202.564.7102 * **Personal Phone / Ex. 6**

Attachment—Additional Questions for the Record

The Honorable John Shimkus

1. **OECA** This committee was instrumental in developing the Electronic Hazardous Waste Manifest Act of 2012, which requires EPA to replace the outdated paper documents with a new electronic system for tracking all hazardous waste shipments.
 - a. What are some of the other ways the hazardous waste program could be improved, particularly in terms of the elimination of duplicative and unnecessary regulations?
 - b. Is EPA pursuing any of these efforts?
2. **OAR** The previous Administration attempted to regulate farms and agricultural processors by saying that its 2009 Endangerment Finding regulated “biogenic” CO2 from agricultural crops. I understand The Endangerment Finding, however, never mentions the word “biogenic.”
 - a. Do you intend to look at this interpretation of the Endangerment Finding?
 - b. If so, would you view it in terms of whether EPA overreached to regulate natural CO2 from U.S. farms?
3. **OAR** On October 17, 2017, EPA's Air Enforcement Division sent a letter to the Ozone Transport Commission stating that the agency "agrees that the 1986 policy on aftermarket catalytic converter emissions is outdated."
 - a. What steps are being taken to update this policy?
 - b. Does the Agency have a timeline for this process?
4. There has been concern that EPA’s regional offices enforce their authority differently from each other and Headquarters guidance. Do you intend to bring alignment among EPA Headquarters and the Regions?

Deliberative Process / Ex. 5

5. **OLEM** The Administration’s budget request zeroed out the funding to the Department of Justice for superfund-related enforcement activities and for cost recovery efforts for the superfund program. If the goal is to get more sites cleaned up and to speed up cleanups, that seems like an odd budget request since DOJ brings money back into the federal coffers from superfund polluters – can you explain to us why the president's budget request would zero out those funds?

6. **OLEM** On December 1, 2017 EPA issued a decision not to do a final rule regarding financial assurance requirements for the hard rock mining sector. Can you tell us what the status is of the 108(b) rule making for the other industry sectors that are next in line [chemical manufacturing, petroleum and coal products manufacturing, and the electric power generation, transmission, and distribution]?
7. **OLEM** EPA announced that it could be a year before it can start cleanup of the San Jacinto River Waste Pits, which sprung a leak during Hurricane Harvey flooding. Is that because EPA officials are in the process of negotiating with responsible parties to pay for the \$115 million project?
- a. Does EPA have a plan to address the leaking cap in the meantime?
 - b. It was also announced that once the cleanup process starts, it is expected to take about 27 months. What safeguards will EPA put in place to ensure that more damage to the cap does not occur before the removal can be completed?
8. **OGC** Administrator Pruitt, in October you announced a new policy of the Agency regarding the use of settlements to circumvent the regulatory process and indicated that EPA “will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency.” The issue of “sue and settle” and the ability of special interest groups to use deadline lawsuits to force EPA to issue regulations that advance their priorities on a specified timeframe has long been a concern of this Subcommittee.
- a. As you noted in your statement about the new policy, “‘sue and settle’ cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.” Has the Agency started implementing the changes?
 - b. There has been some pushback on your sue and settle proposal. How do you respond to the people, many of whom are former EPA attorneys, who say that the policy “discourages settlements when they would have been appropriate and increases agency costs?”
 - c. How do you differentiate between the negative aspects of sue and settle [lack of transparency etc. . .] and the positive? For example, regulated entities and EPA often reach agreement on a cleanup or enforcement issue, enter a settlement, and then file a lawsuit seeking court approval and enforcement of the settlement. Is your new “sue and settle” policy agency-wide? And is it a mandate to not use sue and settle in ways that shorten the administrative time it takes to get a cleanup or resolution of an enforcement action?
9. **OLEM** When was the last time EPA listed a Federal facility on the National Priorities List (NPL)?

- a. If a site scores high enough to rank on the Hazard Ranking System (HRS), will EPA list the Federal facility on the NPL?
 - b. How does OMB factor into the decision about whether to list a Federal facility on the NPL?
 - c. What if a Federal facility ranks on the HRS and the State in which it is located requests that the Federal facility be added to the NPL, will EPA list the Federal facility?
10. **OLEM/OGC** How do you reconcile Executive Order 12580 when it gives the polluter who is also the person paying for the cleanup, the right to make all of the decisions with respect to the remedy with no oversight from EPA?
11. **OLOEM** How will EPA build consistency into how the Regions manage CERCLA cleanups?
12. **OLOEM** What is the timing for the issuance of the Record of Decision for the Westlake Landfill in Bridgeton, Missouri?
13. **OLOEM** The Superfund Task Force conducted a 30-day review of the program and released 42 recommendations in July. The Task Force reemphasized long accepted concepts that are necessary to ensure remedies are consistent nationwide, data-driven, and efficient – such as adaptive management, early actions, technical oversight, and strengthening partnerships with stakeholders. You also revised the delegation of authority procedures to require that remedies potentially totaling more than \$50 million must receive approval from the Administrator, which will help promote regional accountability.
 - a. How have you been implementing the recommendations of the Task Force at sites with existing Records of Decision and how will you implement the recommendations with new cleanups?
 - b. How will EPA ensure that Regional offices closely follow the principles set forth by the Agency’s 2005 Sediment Guidance and the National Contingency Plan?
 - b. Since many of the Task Force’s recommendations require further action, what is your timeline and plan for next steps?

The Honorable David McKinley

1. **OAR** Mr. Administrator - when EPA finalized the “coal ash” regulations, they adopted in the self-implementing rule a “one-size-fits-all” approach that does not allow for the consideration of site specific, risk-based factors.

I appreciate that EPA has committed to reconsider elements of the rule. The timing of these revisions is critical to ensure that the power sector has regulatory certainty.

- a. Can you provide an update on how this process is going?
2. **OP/OAR** As you know, a federal district court ordered EPA in January this year to begin to implement section 321 of the clean air act. This provision from the late 1970s provides that the administrator “shall conduct continuing evaluation of potential loss or shifts in employment...”
 - a. What are your plans for implementing this provision? What can you tell us about your timeline?
 - b. Will you work with me to identify whether statutory changes will help make for a more useful and transparent section 321 program?
3. **OAR** Small refineries have an inherent hardship in complying with the renewable fuel standards. These refineries do not have the ability to pass the rin cost on to their customers. It would put them at a competitive disadvantage to do so.

Congress has clearly stated its intent regarding this.

- a. What is the agency doing to address streamlining and improving the hardship petition process?
4. **OAR** Mr. Administrator – we understand that one of your objectives at EPA is a revised federalism, including providing the states with a greater partnership role with EPA in administering and implementing environmental laws in the respective states. Congress’ recent enactment of the wiin act – which allows the states to implement the federal coal combustion residual – or “coal ash” – rules in lieu of the federal rule – is a perfect example of this philosophy and provides your administration with the opportunity to put this goal into action.

Unfortunately, however, we have heard from some of the states that EPA has been slow in reviewing and approving state program applications to operate the ccr rule in lieu of EPA. Indeed, we understand that not a *single* state application has been deemed complete by EPA, which is necessary to allow for the formal review process to begin.

- a. Can we get some assurances from you that the agency will accelerate this process?
5. **OAR** The EPA's Air Enforcement Division sent an October 17 letter to the Ozone Transport Commission stating it "agrees that the 1986 [aftermarket catalytic converter emissions] policy is outdated." We encourage you to look into this issue. U.S. manufacturing jobs are threatened and U.S. consumers are already being harmed by this outdated policy.

Are you aware of how U.S. manufacturers of aftermarket catalytic converters are being severely impacted by an outdated EPA policy guidance that guides the industry?”

The Honorable Marsha Blackburn

1. **OAR** An Obama-EPA rule from 2016 would have required glider kit vehicles – which are made with *old* engines, and are not new vehicles – to comply with Phase 2 EPA greenhouse gas emission standards that were targeted solely for *new* vehicles and engines. This rule would have had a devastating impact on the state of Tennessee, resulting in a loss of \$512 million-dollars in economic output and a loss of 947 jobs. The rule would have been particularly harmful for small businesses that create and sell refurbished trucks using glider kits, providing an alternative in the medium and heavy-duty truck market that is 25% less expensive than buying a new truck. Mr. Pruitt, I want to thank you on behalf of the hundreds of Tennesseans who still have their jobs because of your common-sense action to reverse the previous administration’s meritless and radical position.
 - a. Following up on that, do you agree that the needs of small business job creators should be taken into account when setting regulations that impact industries dominated by small businesses?
 - b. What can we do as a legislative body to ensure future abuses such as these do not take place again?
 - c. Can you discuss some of your efforts to reconsider regulations that pose an undue burden on small businesses?
2. **OP/OGC** In accordance with the President’s Executive Order 13777, your Agency began a process of reviewing EPA regulations in need of reform because they eliminate or inhibit job creation, are outdated, ineffective, or unnecessary, impose costs that exceed benefits, or create legal inconsistencies.
 - a. What is the status of this review?
 - b. What are your planned next steps?
 - c. What timeline do you envision for implementing the recommendations?
3. **OAR** On November 30, 2017, EPA finalized volume requirements under the Renewable Fuel Standard (RFS) program for 2018 for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel, and biomass-based diesel for 2019. The 2007 law shaping the RFS required EPA to study and report to Congress on whether the RFS will adversely impact air quality. To date, EPA has never completed that study. EPA was also required to report to Congress on the RFS’ impacts to the environment and resource conservation every three years. To date, EPA has issued only one report – in December 2011. Administrator Pruitt, when can Congress expect the EPA to comply with the law and provide the necessary studies?

The Honorable Gregg Harper

1. **OLEM** Mississippi is home to a significant forest products industry. The EPA, under the Obama Administration, drafted and imposed a wood products procurement regulation that allows only for Forest Stewardship Council – or FSC – certified products to be purchased by the government, which bars the purchase of products certified by other credible forest certification standards, such as the American Tree Farm System (ATFS) or Sustainable Forestry Initiative. This regulation, which is now under review, excludes a significant number of family forest owners in the United States with homegrown products certified by other reputable standards. 1) Could you please provide a status update on the current review process? 2) What potential changes can be made to improve this policy that currently puts American forest owners at a disadvantage?
2. **OW** In the 113th Congress, EPA was provided discretion over the allocation of approximately \$12.7 million in annually appropriated EPA technical assistance funding. The EPA used the discretion to eliminate the two full-time circuit rider technical assistance positions in Mississippi and other states. In response to concern raised by my rural and small community water constituents, I introduced legislation to reauthorize and direct the technical assistance funding to where it is most helpful. Senator Wicker’s companion bill was signed into law in 2015. I appreciate EPA’s July 25, 2017, response to a June 9, 2017, Senate letter in which EPA committed to following the intent of the Grassroots Rural and Small Community Water Systems Assistance Act (PL 114-98). 1) Could you please provide an update on implementation of the law and the possibility of the two-full time circuit rider technical assistance positions being re-established in Mississippi?

The Honorable Bill Johnson

1. **OAR** As is true in a lot of areas around the country, job creators in my district are having a difficult time obtaining New Source Review air permits in order to build or upgrade manufacturing facilities or power plants, which is hurting our local economy and employment opportunities. And, as the recent DOE report on electricity markets and grid reliability further emphasizes, “NSR creates an unnecessary burden that discourages... investments in efficiency because of the additional expenditures and delays associated with the permitting process”.
 - a. Do you agree that issuing New Source Review permits takes too long and is unnecessarily complex?
 - b. What is EPA doing to assess the impact of current NSR review requirements on decisions to modernize facilities and power plants?

- c. What reforms may EPA make administratively to improve the New Source Review permitting program so that we can continue to improve air quality and achieve economic growth?

The Honorable Kevin Cramer

1. **OAR** After 2022, EPA is required to set volumes for total renewable fuel, advanced biofuel, cellulosic biofuel, and biomass based diesel. The assumption is the total renewable fuel volume would contain some amount of conventional biofuel. The statute, however, does not set a minimum amount for conventional biofuel because it does not specify a minimum volume for the total renewable fuel. Thus, EPA could set the total renewable fuel volume as the same as the advanced biofuel volume.
 - a. Does the current statute have a specific requirements for corn-based ethanol until 2022?
 - b. Does the statute require a minimum volume of total renewable fuel for each year following 2022?
 - c. Is it your belief that after 2022, the RFS gives significant preference to advanced biofuels over conventional corn-based ethanol?
2. **OAR** The implied mandate for corn-based ethanol is set at 15 billion gallons until 2022. As the statute is written today, do you view this 15 billion gallons as a ceiling or a floor?
 - a. If floor: What in the statute leads you to believe the RFS will require more than 15 billion gallons of corn-based ethanol?
3. **OAR** The prior Administration proposed the Renewable Enhancement and Growth Support (REGS) Rule in 2016 and took comment on the potential for capturing RINS from renewable electricity used to charge electric vehicles.
 - a. Where does this proposal currently stand?
 - b. Is the EPA planning to continue to finalize the REGS Rule?
4. **OAR** A number of ethanol producers in my state have talked to me at length about the benefits of high-octane fuels which are said to provide substantial engine efficiency benefits. They indicated a wealth of information has been provided to the EPA in support of such a fuel with 30 percent ethanol.
 - a. Can automakers now certify their engines on these fuels?
 - b. If not, why not? If so, what is the process?

The Honorable Tim Walberg

1. **OLEM** Administrator Pruitt, one of the priorities of this Subcommittee has long been to, where appropriate, give more authority to the states and it has been suggested that there are aspects of the Superfund program that would be better handled by the states.
 - a. What are your thoughts on delegating portions of the CERCLA cleanup authority to states that can demonstrate the ability to conduct certain superfund cleanups?
2. **OCSPP** At present, there are no standard EPA methods for analyzing PFAS in environmental media, but EPA officials have stated the agency will have draft methods for water and solids by fall 2017. For the purpose of Michigan's continued engagement on this critical issue, as well as the betterment of EPA's developing approach to addressing PFAS nationwide, when do you expect these methodologies will be complete?
3. **OW** The EPA issued a drinking water health advisory for PFAS in May 2016, however, the advisory is non-enforceable and non-regulatory. Do you foresee changes to EPA's role in regulating PFAS contamination at the national level?
4. **OAR** In the Motor Fuels Act of 1988 Congress established a variety of alternate fuel incentives to be used by NHTSA in the administration of the CAFE fuel economy regulations. EPA originally used the same statutory incentives as NHTSA therefore vehicle emissions and fuel economy incentives were harmonized. But in 2012, under the previous administration, EPA diverged from this harmonization by favoring electric vehicles over other alternative fuel vehicles thereby nullifying Congressional intent. Do you think it would be good policy for EPA to return to its previous approach and harmonizing its emissions incentives with NHTSA's fuel economy incentives?

The Honorable Buddy Carter

1. **OAR** The EPA issued a review of the Phase 2 Greenhouse Gas Rule for Medium and Heavy-Duty Trucks and in November the EPA issued a statement on the review of glider kits. However, we haven't seen any announcements about progress with truck trailers. Are you currently reviewing trailers as part of the rule and if so, what is the status? Please provide an update on the rulemaking process and any progress that has been made.
2. **OLEM** Which recommendations from the Super Fund Task Force have been implemented?
3. **OLEM** The EPA recently announced the full or partial removal of Superfund sites from the National Priorities List. How many cleanups will the EPA pursue in 2018 and what will those be?
4. **OLEM** In June, the EPA announced an interim remedy for the Superfund site located at Terry Creek in my district. What is the status of that effort?

5. **OLEM** This committee has been looking to make sensible reforms to the program. Are there any legislative actions that this committee would need to take to aid in reforming the program?

The Honorable Michael Burgess

1. **OGC/OECA** In my State of Texas, we have become too familiar with the EPA making examples of a few people to scare everyone else into compliance. Could you explain why you are intentionally moving away from heavy handed regulatory treatment and moving more toward building partnerships with States and industry to improve the environment?
2. **OP** Some of your critics view the EPA as if it's a factory; where success is measured by the quantity of rules issued, grants passed out, or enforcement cases brought. Rarely do people size up EPA by compliance achieved or improvements in the environment. What goals, budgetary or otherwise, are you setting for individual programs and what metrics are being used to measure progress or success of an office or program?
3. **OLEM/OECA/OGC** I'd also like to touch on the spill at the Gold King Mine. Shortly after the spill occurred there, I visited the mine to observe the impact myself and was shocked by the severe the damage was at that time. Could you please provide me an update on the situation there and the status of the claims brought by the victims?
4. **OARM** EPA's authority to use the Title 42 hiring authority derives from an appropriations rider and not legislation originating from either the House Energy & Commerce or Senate Environment & Public Works Committees. Does the EPA intend to continue to use Title 42 to hire and pay new and existing employees under this authority?
 - a. Does EPA intend to formally ask the authorizing committees for special hiring authority or will it continue to base its authority on the appropriations rider?
 - b. Has EPA ever formally or informally requested such authority from the authorizing committees? If so, when?
 - c. Has the EPA ever proposed language similar to the Title 42 hiring authority be included in any of its authorizing legislation?
 - d. Does EPA intend to continue to request that the Appropriations Committee include this rider in future appropriations legislation?
 - e. Does EPA intend to ask the Appropriations Committee for any increase to the currently allowed number of employees it may pay under Title 42?

The Honorable Frank Pallone

Superfund:

OLEM During the hearing, you suggested that you proposed cutting the budget for Superfund cleanups because more money is not needed. You also said that there are very few orphan sites, meaning sites that will require public cleanup funds. However, in 2015, the Government Accountability Office found that as federal funding for cleanups has declined, the number of construction completions and remedial action completion declined while the number of National Priority List sites remained constant. In other words, less money buys fewer needed cleanups.

1. How many sites, exactly, on the National Priority List require public cleanup funds?

Environmental Justice:

OP/OLEM Since the issuance of Executive Order 12898 in 1994, EPA has been required to incorporate the goal of environmental justice into its mission. As part of that executive order, and in keeping with Title VI of the Civil Rights Act of 1964, EPA is required to ensure all of its activities that affect human health and the environment do not directly or indirectly discriminate on the basis of race, color, or national origin.

2. What are you doing to ensure that EPA's response and recovery efforts in Puerto Rico and the U.S. Virgin Islands comply with the Executive Order on environmental justice and the Civil Rights Act?

OP/OLEM Environmental justice is also a serious concern in the Agency's response to Hurricane Harvey because of disparities between communities affected by that storm.

3. What have you been doing to ensure that EPA's response and recovery efforts in Texas comply with the Executive Order on environmental justice and the Civil Rights Act?
4. What direction, if any, have you given to your Regional Administrators and other regional staff with regard to ensuring environmental justice in EPA's hurricane response? Please provide any memoranda or email correspondence you or your staff have sent to regional staff on the subject of environmental justice and hurricane response.
5. Who on your staff is tasked with coordinating response efforts across the regions to ensure equal treatment for the people of Puerto Rico and the U.S. Virgin Islands?

OP/OGC Since assuming your position as Administrator, you have delayed or abandoned numerous rules and regulations that would have protected vulnerable communities.

6. Do you believe that your decision to abandon EPA's proposed ban of the dangerous pesticide chlorpyrifos complies with the Executive Order on environmental justice and the Civil Rights Act?
7. Do you believe that your decision to delay the important amendments to the Risk Management Planning program complies with the Executive Order on environmental justice and the Civil Rights Act?

8. Do you believe that your actions delaying notifying communities that are out of attainment with the 2015 ozone National Ambient Air Quality Standard complies with the Executive Order on environmental justice and the Civil Rights Act?
9. Do you believe that your decision to repeal the Clean Power Plan complies with the Executive Order on environmental justice and the Civil Rights Act?
10. Do you believe that your decision to delay revisions to the Lead and Copper Rule complies with the Executive Order on environmental justice and the Civil Rights Act?

Management of Toxic Pesticides:

11. **OCSPP** Documents reveal that Monsanto employees may have ghostwritten scientific papers on glyphosate, including papers published in the journal *Regulatory Toxicology and Pharmacology*, which has an editorial board populated by industry scientists, lawyers and consultants with clear financial ties to the chemical industry. Has EPA relied on those studies in its evaluation of glyphosate?
12. **OCSPP** Did EPA rely on studies from that journal in its decision to deny the petition to ban chlorpyrifos?
13. **OCSPP** In 2015, the Food and Drug Administration (FDA) agreed with recommendations from GAO¹ that glyphosate monitoring should be done, but subsequently suspended its efforts to conduct that monitoring.² Documents suggest that this decision may have been made under pressure from an EPA employee working with Monsanto. Please provide any email or other correspondence between EPA employees and FDA employees regarding glyphosate monitoring.
14. **OCSPP** EPA's March 30 decision on chlorpyrifos will allow continued use of this dangerous pesticide on golf courses. Did trade associations representing the Trump Organization golf courses, or lobbyists who represent the Trump Organization, communicate with EPA, the White House, or the Trump transition team regarding the March 30 decision or chlorpyrifos in general?

Transparency:

OP/OGC Nearly thirty-five years ago, in his landmark "Fishbowl Memo," Administrator Ruckelshaus announced that he would release his appointment calendar on a weekly basis, and he directed the Deputy Administrator and all Assistant Administrators, Associate Administrators, Regional Administrators, and Staff Office Directors to do the same. Administrator Ruckelshaus emphasized that "EPA will not accord privileged status to any special interest group" and that the

¹ U.S. Government Accountability Office, "Food Safety: FDA and USDA Should Strengthen Pesticide Residue Monitoring Programs and Further Disclose Monitoring Limitations" (Nov. 6, 2014).

² Gillam, C. *FDA Suspends Testing for Glyphosate Residues in Food* (Nov. 11, 2016) (http://www.huffingtonpost.com/carey-gillam/fda-suspends-glyphosate-r_b_12913458.html)

public should be “fully aware of [top officials’] contacts with interested persons.” In the intervening decades, Administrators serving under both Democratic and Republican Administrations have upheld this practice. But your senior management team has yet to release its calendars, undermining agency transparency and raising questions about who may be accessing and influencing top EPA officials. EPA has recently provided the public with a “summary” of your calendar, and provided some heavily redacted records of your calendar through March 31. But the agency still has not released the actual records of your daily calendars since March, despite numerous FOIA requests for them.

15. Will you commit to making your schedule public on a regular basis, so that Congress, the press, and ordinary Americans can see who you are meeting with?
16. Will you commit to directing your senior officials to release their calendars on a regular basis?

OEI/OGC We are also concerned about delays in EPA’s response to FOIA requests under your administration. EPA’s failure to meet the deadlines specified in the Freedom of Information Act results in legal violations, which then subject EPA to repeated lawsuits.

17. Given the legal expenses and waste of resources caused by EPA’s failure to comply with FOIA deadlines, do you agree that EPA should streamline the review process for release of documents to eliminate any unnecessary steps, such as multiple levels of document review?
18. Do you think it is appropriate for political appointees and advisors to hold up the release of document for further review, even when documents have already been determined to be public documents not subject to FOIA exemptions by FOIA officers and FOIA attorney advisors?
19. Why would it be necessary for the documents to undergo a political review if they are public documents under the law?
20. It appears that EPA has now adopted a policy of responding to FOIA requests based only or primarily on the date of the request, regardless of the type of information requested, the simplicity of the request, or the relevance of the information to the public. Is that correct?
21. If not, please describe in detail the criteria that EPA is now using to prioritize processing FOIA requests?
22. Given EPA’s large backlog, under your current approach, how long will it be before you respond to a substantial number of requests regarding your tenure and release documents generated during your tenure (besides those documents that EPA releases when a lawsuit is filed)? Please provide an estimate in weeks, months, or years.
23. Will you establish a policy of responding to new FOIA requests on an ongoing basis, rather than relegating them to the back of the line and without waiting to be sued on each request?

OGC It has been reported that you and other political appointees have directed staff to avoid creating public records that could be subject to FOIA requests, such as directing staff to provide

internal policy decisions orally instead of by electronic mail or directing staff not to take notes in meetings.

24. Do you agree that EPA is required to create and maintain records that document the formulation of the agency's decisions, and the people and matters dealt with by the agency, so that proper scrutiny by Congress and other agencies is possible?
25. Have you or other political employees provided any direction to staff that could discourage them from creating such records?

Contract with Definers Public Affairs:

OPA/OGC On the day you testified before Energy and Commerce, EPA entered into a no-bid contract with Definers Public Affairs to provide “news analysis and brief service focusing on EPA work and other topics of interest to EPA.”³ The awarding of this contract without full and open competition to a company with no apparent experience in providing these services to a Federal agency is concerning, as are the political lobbying activities of the firm. Though Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA’s selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

26. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.
27. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?
28. Was Definers, AmericaRising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?
29. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?
30. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.

³ EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017)

31. On December 10, the New York Times published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration.⁴ EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.
32. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propoganda Prohibition and Anti-Lobbying provisions?
33. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

Enforcement:

OECA As noted above, on December 10, the New York Times published an article identifying an alarming decrease in enforcement actions during your administration. Specifically, their analysis shows your EPA has brought one quarter fewer cases than President George W. Bush's EPA and one-third fewer cases than President Barack Obama's EPA over comparable periods. The analysis also shows that you have sought significantly smaller amounts in civil penalties.

34. Can you explain why EPA has pursued fewer enforcement cases under your leadership?
35. Please describe any complaints you have received from communities/others who have been seeking, but apparently failing to receive relief from EPA from polluters?
36. Have you been asked by anyone in industry to change EPA's enforcement policies?
37. If so, please describe those conversations.
38. Can you explain any changes you have made to testing procedures and policies (e.g. requests for information) permitted by your regional offices, enforcement officers or other EPA staff, why those changes were made and what effect they have had on enforcement?

Co-Benefits of Air Rules:

OGC You have questioned EPA's prior evaluations of public health protections that have included "co-benefits" of deadly particulate matter.

39. Do you agree there is judicial precedent upholding EPA's approach to consider co-benefit pollution reductions?
40. Why or why not?

⁴ Eric Lipton and Danielle Ivory, *Under Trump, EPA has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers*, New York Times, (Dec. 10, 2017), <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

41. Are you planning to seek legal review of this matter?
42. Are you planning to try to change the way co-benefits, like PM2.5, are counted or considered in EPA rulemakings?
43. If so, why and what evidence do you have to support such a change?

Ozone:

OAR For the 2015 Ozone rule, the Clean Air Act required all states and Tribes to submit attainment designation recommendations by October 1, 2016, and EPA was required to finalize area designations a year after. On November 6, the agency issued attainment designations for those areas that meet the 2015 standard, however EPA failed to release any nonattainment designations. In response to questions about EPA missing deadlines associated with the 2015 Ozone rule, you said the delay was due to “information that has not been provided by the states.”

44. Please provide a list of all states or Tribes who have not submitted designation recommendations to EPA for the 2015 Ozone standard. What information is still outstanding from these states or Tribes?
45. To date, has EPA notified any states or Tribes that it intends to modify any of their recommended designations? Please provide the Committee with a list of these states or Tribes, and copies of the notice provided by EPA.
46. Have you been in contact with any industry representatives or states about delaying the implementation of the 2015 Ozone standard as it relates to finalizing the remaining designations? If so, please describe the nature of your meetings and communications.
47. The Unified Regulatory Agenda included a reference to using “additional time afforded by the designations extension to finalize necessary guidance” related to the 2015 Ozone standards. However, after legal challenges from states and others, you walked back your effort to delay implementation of these standards.
 - a. Can you clarify what “extension” this refers to in the Unified Agenda?
 - b. Why would EPA need an extension to issue remaining designations?
48. When can we expect EPA to issue the remaining designations?
49. Who is on the Ozone Compliance Task Force, and what is its roll in implementing the 2015 Ozone standard? Please provide the Committee with a list of participants, schedule, meetings, materials, and communications.

Climate Change:

50. **OAR** Federal courts have held that the quantity of emission reductions to be achieved is an important consideration in determining the “best system of emission reduction” for sources under section 111 of the Clean Air Act. What weight will you give to achieving significant emission reductions in considering a replacement for the Clean Power Plan?

OAR At the hearing you questioned the integrity of the rulemaking that led up to EPA’s December 2009 science-based finding that greenhouse gas pollution endangers public health and welfare. As you know, EPA received over 380,000 comments on the Endangerment Finding, responded to 10 petitions for reconsideration, and explained its determination in almost one thousand pages of documentation in the Federal Register and supporting technical documents. A three-judge panel of the D.C. Circuit unanimously upheld that finding in 2012 against a barrage of legal challenges, finding that it was supported by ample evidence and that EPA had appropriately relied on authoritative analyses by the Intergovernmental Panel on Climate Change, the U.S. government and other sources.

51. Please explain why you continue to question the process that led to the Endangerment Finding in light of this history and the D.C. Circuit’s decision?

OAR You recently stated that you intend to move forward imminently with a so-called “red team” exercise in which you will convene rival panels of scientists to debate climate science, just weeks after the Administration’s Global Change Research Program released a “Climate Science Special Report” confirming that human activities are “the dominant cause” of observed climate change, and that climate change is already having adverse impacts around the country. This report was authored by scientists from multiple Federal agencies, national laboratories, universities, and the private sector, and went through six stages of external review including review by the National Academies of Sciences, Engineering, and Medicine and an open public comment period.

52. Please explain why the “red team” exercise a good use of scarce Agency resources in light of the extraordinary research and review that the Administration invested in the CSSR?

Budget:

OCFO It was recently reported that officials at the Center for Disease Control and Prevention are being directed to not use seven words or phrases in official documents for the FY 2019 Budget. The forbidden words are “vulnerable,” “entitlement,” “diversity,” “transgender,” “fetus,” “evidence-based” and “science-based.”

53. Is EPA also barred from using “vulnerable,” “entitlement,” “diversity,” “transgender,” “fetus,” “evidence-based” or “science-based,” in official budget documents?
54. Does EPA have a list of forbidden words or phrases for official budget documents? If so, please provide the Committee with such list.

OCFO/OARM EPA has been experiencing a workforce reduction, including through the use of buy-outs.

55. Please detail the status of workforce reductions conducted to-date, during this administration, including overall net personnel reductions?
56. In what offices and programs have net reductions occurred?
57. Please detail the categories in which workforce reductions have occurred in 2017, such as buy-outs, other voluntary separations, reductions-in-force, etc.
58. In 2018, what additional workforce reductions are planned, assuming funding is available to accomplish them?
59. In which programs and offices are reductions planned?
60. What closures or other changes to the current EPA regional offices or labs are planned for 2018 or beyond?

The Honorable Paul Tonko

1. Travel to Morocco

OP On December 12, EPA issued a press release, “Administrator Pruitt Promotes Environmental Cooperation with U.S. Partners in Morocco.” While no members of the press accompanied you on this trip, it was reported that the purpose of the trip was to promote U.S. natural gas exports.

- a. Please provide an itinerary of your trip along with total estimated costs to U.S. taxpayers for you and any accompanying staff, including security details.
- b. How does promoting U.S. LNG exports fit into your “Back to Basics” agenda?
- c. What authority does EPA have related to the exportation, sale, or promotion of U.S. LNG?
- d. Please provide a list of companies, trade associations, or natural gas industry representatives that you or your staff have been in contact with regarding U.S. LNG exports. Please provide all records, communications, emails, meeting attendance or materials for any of these interactions.
- e. This trip was not publicly announced until EPA issued a press release once you had already arrived in Morocco. Moving forward, will you commit to publicly announcing all foreign and domestic trips prior to traveling?

2. Science at EPA

ORD/OAR In the draft FY 2018-2022 EPA Strategic Plan, you have promised to “prioritize robust science.” Under Objective 3.3 of the draft plan, you say that “EPA will identify, assess, conduct, and apply the best available science to address current and future environmental hazards, develop new approaches, and improve the scientific foundation for environmental protection decisions.”

- a. Do you commit to ensuring that the EPA's actions and policies are guided by the latest climate science, as reflected in Volume 1 of the Fourth National Climate Assessment (also known as the Climate Science Special Report or CSSR), and as described in statements and reports from the National Academy of Sciences?
- b. Do you agree with the CSSR's conclusion that "it is *extremely likely* that human influence has been the dominant cause of the observed warming since the mid-20th century... For the warming over the last century, there is no convincing alternative explanation supported by the extent of the observational evidence"?
- c. Do you commit to making information about climate change prominently available on the EPA's website, alongside information about other critical issues related to human health and the environment?
- d. Regarding the October 31 Science Advisory Board directive, can you please provide specific examples of when an EPA grant recipient on an advisory committee provided conflicted advice?
- e. On October 22, the New York Times reported, "E.P.A. Cancels Talk on Climate Change by Agency Scientists." Why were EPA scientists prohibited from speaking at a Rhode Island conference on climate change?
- f. Moving forward, will EPA scientists have the opportunity to communicate publicly about their research?

3. **Advisors to the Administrator**

OP/OGC On December 13, it was reported that Dr. Michael Dourson withdrew his name to serve as Assistant Administrator for the Office of Chemical Safety and Pollution Prevention.

- a. In October, it was reported that Dr. Dourson was already working at the agency as an Adviser to the Administrator. Can you confirm whether Dr. Dourson has left the agency?
- b. If not, what are the roles and responsibilities of Dr. Dourson?
- c. What ethics or conflict of interest agreements apply or applied to Dr. Dourson in his role as Advisor to the Administrator?
- d. You testified that the October 31 Science Advisory Board directive was driven by a concern that "a perception or an appearance of a lack of independence in advising the Agency." Did any EPA leadership have a conversation or express concerns about the perception of conflict of interest from Dr. Nancy Beck's involvement in revising the TSCA framework rules after leaving a position with the American Chemistry Council?

4. **Enforcement Actions and Monitoring**

OCFO On December 10, the New York Times reported that EPA regional staff must seek authorization from HQ before asking companies to track their emissions. Monitoring is critical to ensure that the environmental and health gains that have been made in recent decades are not undone. Power generating facilities in the Midwest emit sulfur dioxide and nitrogen oxides, which are the major precursors of acid rain which has caused the acidification of many Adirondack lakes and ponds.

- a. The Adirondack Lake Survey Corporation receives EPA funding for long-term monitoring of water quality recovery from acid rain. Do you support continuation of this long-term monitoring funding?

5. Hudson River Superfund Site

OLEM The State of New York has stated that the Hudson River PCB cleanup has not met the goals of the program, and that additional action is needed. Federal Natural Resource Trustees have also expressed concerns. The EPA Region II office does not appear to acknowledge the scientific basis of the state's and Trustee's analysis.

- a. Will EPA reconsider the recommendations of the Second Five-Year Review Report in light of the analysis done by the State and Trustee agencies?

6. OIG

OGC The Office of Inspector General (OIG) Semiannual Report: April 1, 2017 - September 30, 2017 raised a number of issues about interference with the OIG's independence. From that report:

"A second budget impediment occurred when the OIG submitted an FY 2019 request for \$62 million to the agency for inclusion in the President's budget. Without seeking input from the OIG, the agency provided us with a request of \$42 million. The agency informed the OIG that the Office of Management and Budget mandated budget requests Semiannual Report to Congress April 1, 2017—September 30, 2017 13 could not be more than a certain percentage above the President's FY 2018 budget. The EPA also informed the OIG that the \$42 million request would not change. The OIG submitted a memorandum to the Office of Management and Budget stating the OIG's original budget request, and explaining that the EPA's submitted budget did not reflect the OIG's desired funding levels and would have significant negative impacts on OIG operations."

- a. Do you believe a fully funded, independent Inspector General is necessary for EPA to run as an efficient and accountable agency?

7. IRIS

- a. **ORD** How do you view the role of IRIS relative to ensuring full implementation of the TSCA program?
- b. **ORD** Will you commit to fully supporting the IRIS program?

The Honorable Diana DeGette

1. **OAR** Methane is up to 34 times more potent a greenhouse gas than carbon dioxide and makes up approximately ten percent of annual greenhouse gas emissions in the United States. Despite the harm methane can cause, the EPA has proposed delaying rules that would have curbed methane emissions from oil and gas industry sources. The proposed delay of the 2016 methane rule published in the Federal Register on June 16, 2017, states “the EPA believes that the environmental health or safety risk addressed by this action may have a disproportionate effect on children.”
 - a. Do you agree that children would be disproportionately affected by delaying methane emissions restrictions on the oil and gas industry?
 - b. What are the estimated costs of the health impact on children?
2. **OCSPP** During your testimony we discussed the decision on a final rule concerning methylene chloride use in paint stripper. You promised to review the status of the rule and provide an update soon after the hearing. Rules concerning N-methylpyrrolidone (NMP) and trichloroethylene (TCE) were proposed at the same time. Prohibitions against certain uses of NMP and methylene chloride were removed from the Fall 2017 Unified Agenda of Regulatory and Deregulatory Actions.
 - a. The Fall Unified Agenda was released on December 14, one week after your testimony before the committee. At what point was the decision made to remove the NMP and methylene chloride rules from the Unified Agenda?
 - b. When will EPA finalize the rules for TCE, NMP, and methylene chloride under TSCA?
 - c. What role did Michael Dourson have as an EPA adviser in determining the timeline for these rules?
3. **OLEM** In response to the explosion at the West Fertilizer Plant in Texas in 2013, EPA developed updates (the “Chemical Disaster Rule”) to Risk Management Plans (RMP) requirements. This update would have included common sense reforms, including improved accident prevention provisions and enhancements to emergency response preparation. In June 2017, the implementation of this rule was delayed. The rule had been in development for three years and was subject to more than 40,000 public comments.
 - a. During Hurricane Harvey, the Arkema Chemical plant in Crosby, Texas, experience fires due to a failure of emergency generators and backup cooling systems. First responders have filed suit against Arkema alleging that Arkema misrepresented the threat posed by chemicals at the site. A situation like this, where first responders

cannot adequately prepare to respond to emergencies at chemical production facilities, is the sort of circumstances that the Chemical Disaster Rule was designed to avoid. Have the events at the Arkema plant, where first responders were put at risk, caused you to reconsider the delay of the Chemical Disaster Rule?

- b. The proposed EPA budget for fiscal year 2018 reduced funding for inspection of sites under the RMP by 35 percent, straining a program that only has 30 inspectors for 12,500 sites. In light of the number of facilities that need to be inspected, the low frequency of inspection, and the specter of climate change related extreme weather events like Hurricane Harvey, do you still feel the cuts to the inspection program are prudent?
- 4. **OW/OCSPP** The Climax Molybdenum Mining company in Colorado has asked the state of Colorado to relax limits on molybdenum allowed in runoff from the Climax mine in Summit County Colorado. Molybdenum is on the Contaminant Candidate List 4 (CCL-4). It was also on the CCL-3. Currently, states have minimal guidance from the EPA on the potential hazards of molybdenum in drinking water.
 - a. Is EPA currently collecting data on the health or environmental impacts of molybdenum in drinking water?
 - b. Will molybdenum be part of the Regulatory Determination 4 process going forward?
- 5. **OLEM** For more than two years, I have been focused on addressing the environmental damage caused by the August 2015 release of toxic mine water from Gold King mine in San Juan County, Colorado.
 - a. I was glad to see the Bonita Peak Mining District (which includes Gold King mine) was included on the list EPA released on December 8, 2017, of sites targeted for “immediate, intense action.” Can you elaborate on the action EPA plans to take in the Bonita Peak Mining District and the expected timeline?
 - b. On December 17, 2017, the *Denver Post* reported on the success of cleanup efforts related to toxic Argentine Mine complex near Rico, Colorado. The article noted that the part of the success is that the private company legally responsible for cleaning up the site has invested “tens of millions of dollars” in the cleanup compared to less than \$5 million the EPA has invested in the cleanup of Gold King. What additional funding will EPA invest in the Gold King cleanup?
 - c. On October 19, 2017, the *Denver Post* reported that there is uncertainty regarding the ongoing costs association with the water treatment plant EPA is operating to clean up water from Gold King Mine. The annual cost of operating the plant is \$1.2 million and it produces toxic sludge while purifying the runoff. What is the EPA’s long-term plan for the plant costs?
 - d. What is the status of finding a permanent solution for the waste sludge from the plant?

The Honorable Jerry McNerney

1. **OAR** At the December 7th hearing, I stated that less than half of the U.S. population was included in the ozone designations laid out by the EPA. Though this statement was not made in the form of a question, Administrator Pruitt interjected, proclaiming that the lack of inclusion was due to missing information that needs to be submitted by states. However, on the EPA's website, there is [a full list of state recommendations](#) from 2015. Will the Administrator please explain his statement and what information is missing from which states?

Attachment—Additional Questions for the Record

The Honorable John Shimkus

1. **OECA** This committee was instrumental in developing the Electronic Hazardous Waste Manifest Act of 2012, which requires EPA to replace the outdated paper documents with a new electronic system for tracking all hazardous waste shipments.
 - a. What are some of the other ways the hazardous waste program could be improved, particularly in terms of the elimination of duplicative and unnecessary regulations?
 - b. Is EPA pursuing any of these efforts?
2. **OAR** The previous Administration attempted to regulate farms and agricultural processors by saying that its 2009 Endangerment Finding regulated “biogenic” CO2 from agricultural crops. I understand The Endangerment Finding, however, never mentions the word “biogenic.”
 - a. Do you intend to look at this interpretation of the Endangerment Finding?
 - b. If so, would you view it in terms of whether EPA overreached to regulate natural CO2 from U.S. farms?
3. **OAR** On October 17, 2017, EPA's Air Enforcement Division sent a letter to the Ozone Transport Commission stating that the agency "agrees that the 1986 policy on aftermarket catalytic converter emissions is outdated."
 - a. What steps are being taken to update this policy?
 - b. Does the Agency have a timeline for this process?
4. There has been concern that EPA’s regional offices enforce their authority differently from each other and Headquarters guidance. Do you intend to bring alignment among EPA Headquarters and the Regions?

Deliberative Process / Ex. 5

5. **OLEM** The Administration’s budget request zeroed out the funding to the Department of Justice for superfund-related enforcement activities and for cost recovery efforts for the superfund program. If the goal is to get more sites cleaned up and to speed up cleanups, that seems like an odd budget request since DOJ brings money back into the federal coffers from superfund polluters – can you explain to us why the president's budget request would zero out those funds?

6. **OLEM** On December 1, 2017 EPA issued a decision not to do a final rule regarding financial assurance requirements for the hard rock mining sector. Can you tell us what the status is of the 108(b) rule making for the other industry sectors that are next in line [chemical manufacturing, petroleum and coal products manufacturing, and the electric power generation, transmission, and distribution]?
7. **OLEM** EPA announced that it could be a year before it can start cleanup of the San Jacinto River Waste Pits, which sprung a leak during Hurricane Harvey flooding. Is that because EPA officials are in the process of negotiating with responsible parties to pay for the \$115 million project?
 - a. Does EPA have a plan to address the leaking cap in the meantime?
 - b. It was also announced that once the cleanup process starts, it is expected to take about 27 months. What safeguards will EPA put in place to ensure that more damage to the cap does not occur before the removal can be completed?
8. **OGC** Administrator Pruitt, in October you announced a new policy of the Agency regarding the use of settlements to circumvent the regulatory process and indicated that EPA “will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency.” The issue of “sue and settle” and the ability of special interest groups to use deadline lawsuits to force EPA to issue regulations that advance their priorities on a specified timeframe has long been a concern of this Subcommittee.
 - a. As you noted in your statement about the new policy, “‘sue and settle’ cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.” Has the Agency started implementing the changes?
 - b. There has been some pushback on your sue and settle proposal. How do you respond to the people, many of whom are former EPA attorneys, who say that the policy “discourages settlements when they would have been appropriate and increases agency costs?”
 - c. How do you differentiate between the negative aspects of sue and settle [lack of transparency etc. . .] and the positive? For example, regulated entities and EPA often reach agreement on a cleanup or enforcement issue, enter a settlement, and then file a lawsuit seeking court approval and enforcement of the settlement. Is your new “sue and settle” policy agency-wide? And is it a mandate to not use sue and settle in ways that shorten the administrative time it takes to get a cleanup or resolution of an enforcement action?
9. **OLEM** When was the last time EPA listed a Federal facility on the National Priorities List (NPL)?

- a. If a site scores high enough to rank on the Hazard Ranking System (HRS), will EPA list the Federal facility on the NPL?
 - b. How does OMB factor into the decision about whether to list a Federal facility on the NPL?
 - c. What if a Federal facility ranks on the HRS and the State in which it is located requests that the Federal facility be added to the NPL, will EPA list the Federal facility?
10. **OLEM/OGC** How do you reconcile Executive Order 12580 when it gives the polluter who is also the person paying for the cleanup, the right to make all of the decisions with respect to the remedy with no oversight from EPA?
11. **OLOEM** How will EPA build consistency into how the Regions manage CERCLA cleanups?
12. **OLOEM** What is the timing for the issuance of the Record of Decision for the Westlake Landfill in Bridgeton, Missouri?
13. **OLOEM** The Superfund Task Force conducted a 30-day review of the program and released 42 recommendations in July. The Task Force reemphasized long accepted concepts that are necessary to ensure remedies are consistent nationwide, data-driven, and efficient – such as adaptive management, early actions, technical oversight, and strengthening partnerships with stakeholders. You also revised the delegation of authority procedures to require that remedies potentially totaling more than \$50 million must receive approval from the Administrator, which will help promote regional accountability.
 - a. How have you been implementing the recommendations of the Task Force at sites with existing Records of Decision and how will you implement the recommendations with new cleanups?
 - b. How will EPA ensure that Regional offices closely follow the principles set forth by the Agency’s 2005 Sediment Guidance and the National Contingency Plan?
 - b. Since many of the Task Force’s recommendations require further action, what is your timeline and plan for next steps?

The Honorable David McKinley

1. **OAR** Mr. Administrator - when EPA finalized the “coal ash” regulations, they adopted in the self-implementing rule a “one-size-fits-all” approach that does not allow for the consideration of site specific, risk-based factors.

I appreciate that EPA has committed to reconsider elements of the rule. The timing of these revisions is critical to ensure that the power sector has regulatory certainty.

- a. Can you provide an update on how this process is going?
2. **OP/OAR** As you know, a federal district court ordered EPA in January this year to begin to implement section 321 of the clean air act. This provision from the late 1970s provides that the administrator “shall conduct continuing evaluation of potential loss or shifts in employment...”
 - a. What are your plans for implementing this provision? What can you tell us about your timeline?
 - b. Will you work with me to identify whether statutory changes will help make for a more useful and transparent section 321 program?
3. **OAR** Small refineries have an inherent hardship in complying with the renewable fuel standards. These refineries do not have the ability to pass the rin cost on to their customers. It would put them at a competitive disadvantage to do so.

Congress has clearly stated its intent regarding this.

- a. What is the agency doing to address streamlining and improving the hardship petition process?
4. **OAR** Mr. Administrator – we understand that one of your objectives at EPA is a revised federalism, including providing the states with a greater partnership role with EPA in administering and implementing environmental laws in the respective states. Congress’ recent enactment of the wiin act – which allows the states to implement the federal coal combustion residual – or “coal ash” – rules in lieu of the federal rule – is a perfect example of this philosophy and provides your administration with the opportunity to put this goal into action.

Unfortunately, however, we have heard from some of the states that EPA has been slow in reviewing and approving state program applications to operate the ccr rule in lieu of EPA. Indeed, we understand that not a *single* state application has been deemed complete by EPA, which is necessary to allow for the formal review process to begin.

- a. Can we get some assurances from you that the agency will accelerate this process?
5. **OAR** The EPA's Air Enforcement Division sent an October 17 letter to the Ozone Transport Commission stating it "agrees that the 1986 [aftermarket catalytic converter emissions] policy is outdated." We encourage you to look into this issue. U.S. manufacturing jobs are threatened and U.S. consumers are already being harmed by this outdated policy.

Are you aware of how U.S. manufacturers of aftermarket catalytic converters are being severely impacted by an outdated EPA policy guidance that guides the industry?”

The Honorable Marsha Blackburn

1. **OAR** An Obama-EPA rule from 2016 would have required glider kit vehicles – which are made with *old* engines, and are not new vehicles – to comply with Phase 2 EPA greenhouse gas emission standards that were targeted solely for *new* vehicles and engines. This rule would have had a devastating impact on the state of Tennessee, resulting in a loss of \$512 million-dollars in economic output and a loss of 947 jobs. The rule would have been particularly harmful for small businesses that create and sell refurbished trucks using glider kits, providing an alternative in the medium and heavy-duty truck market that is 25% less expensive than buying a new truck. Mr. Pruitt, I want to thank you on behalf of the hundreds of Tennesseans who still have their jobs because of your common-sense action to reverse the previous administration’s meritless and radical position.
 - a. Following up on that, do you agree that the needs of small business job creators should be taken into account when setting regulations that impact industries dominated by small businesses?
 - b. What can we do as a legislative body to ensure future abuses such as these do not take place again?
 - c. Can you discuss some of your efforts to reconsider regulations that pose an undue burden on small businesses?
2. **OP/OGC** In accordance with the President’s Executive Order 13777, your Agency began a process of reviewing EPA regulations in need of reform because they eliminate or inhibit job creation, are outdated, ineffective, or unnecessary, impose costs that exceed benefits, or create legal inconsistencies.
 - a. What is the status of this review?
 - b. What are your planned next steps?
 - c. What timeline do you envision for implementing the recommendations?
3. **OAR** On November 30, 2017, EPA finalized volume requirements under the Renewable Fuel Standard (RFS) program for 2018 for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel, and biomass-based diesel for 2019. The 2007 law shaping the RFS required EPA to study and report to Congress on whether the RFS will adversely impact air quality. To date, EPA has never completed that study. EPA was also required to report to Congress on the RFS’ impacts to the environment and resource conservation every three years. To date, EPA has issued only one report – in December 2011. Administrator Pruitt, when can Congress expect the EPA to comply with the law and provide the necessary studies?

The Honorable Gregg Harper

1. **OLEM** Mississippi is home to a significant forest products industry. The EPA, under the Obama Administration, drafted and imposed a wood products procurement regulation that allows only for Forest Stewardship Council – or FSC – certified products to be purchased by the government, which bars the purchase of products certified by other credible forest certification standards, such as the American Tree Farm System (ATFS) or Sustainable Forestry Initiative. This regulation, which is now under review, excludes a significant number of family forest owners in the United States with homegrown products certified by other reputable standards. 1) Could you please provide a status update on the current review process? 2) What potential changes can be made to improve this policy that currently puts American forest owners at a disadvantage?
2. **OW** In the 113th Congress, EPA was provided discretion over the allocation of approximately \$12.7 million in annually appropriated EPA technical assistance funding. The EPA used the discretion to eliminate the two full-time circuit rider technical assistance positions in Mississippi and other states. In response to concern raised by my rural and small community water constituents, I introduced legislation to reauthorize and direct the technical assistance funding to where it is most helpful. Senator Wicker’s companion bill was signed into law in 2015. I appreciate EPA’s July 25, 2017, response to a June 9, 2017, Senate letter in which EPA committed to following the intent of the Grassroots Rural and Small Community Water Systems Assistance Act (PL 114-98). 1) Could you please provide an update on implementation of the law and the possibility of the two-full time circuit rider technical assistance positions being re-established in Mississippi?

The Honorable Bill Johnson

1. **OAR** As is true in a lot of areas around the country, job creators in my district are having a difficult time obtaining New Source Review air permits in order to build or upgrade manufacturing facilities or power plants, which is hurting our local economy and employment opportunities. And, as the recent DOE report on electricity markets and grid reliability further emphasizes, “NSR creates an unnecessary burden that discourages... investments in efficiency because of the additional expenditures and delays associated with the permitting process”.
 - a. Do you agree that issuing New Source Review permits takes too long and is unnecessarily complex?
 - b. What is EPA doing to assess the impact of current NSR review requirements on decisions to modernize facilities and power plants?

- c. What reforms may EPA make administratively to improve the New Source Review permitting program so that we can continue to improve air quality and achieve economic growth?

The Honorable Kevin Cramer

1. **OAR** After 2022, EPA is required to set volumes for total renewable fuel, advanced biofuel, cellulosic biofuel, and biomass based diesel. The assumption is the total renewable fuel volume would contain some amount of conventional biofuel. The statute, however, does not set a minimum amount for conventional biofuel because it does not specify a minimum volume for the total renewable fuel. Thus, EPA could set the total renewable fuel volume as the same as the advanced biofuel volume.
 - a. Does the current statute have a specific requirements for corn-based ethanol until 2022?
 - b. Does the statute require a minimum volume of total renewable fuel for each year following 2022?
 - c. Is it your belief that after 2022, the RFS gives significant preference to advanced biofuels over conventional corn-based ethanol?
2. **OAR** The implied mandate for corn-based ethanol is set at 15 billion gallons until 2022. As the statute is written today, do you view this 15 billion gallons as a ceiling or a floor?
 - a. If floor: What in the statute leads you to believe the RFS will require more than 15 billion gallons of corn-based ethanol?
3. **OAR** The prior Administration proposed the Renewable Enhancement and Growth Support (REGS) Rule in 2016 and took comment on the potential for capturing RINS from renewable electricity used to charge electric vehicles.
 - a. Where does this proposal currently stand?
 - b. Is the EPA planning to continue to finalize the REGS Rule?
4. **OAR** A number of ethanol producers in my state have talked to me at length about the benefits of high-octane fuels which are said to provide substantial engine efficiency benefits. They indicated a wealth of information has been provided to the EPA in support of such a fuel with 30 percent ethanol.
 - a. Can automakers now certify their engines on these fuels?
 - b. If not, why not? If so, what is the process?

The Honorable Tim Walberg

1. **OLEM** Administrator Pruitt, one of the priorities of this Subcommittee has long been to, where appropriate, give more authority to the states and it has been suggested that there are aspects of the Superfund program that would be better handled by the states.
 - a. What are your thoughts on delegating portions of the CERCLA cleanup authority to states that can demonstrate the ability to conduct certain superfund cleanups?
2. **OCSPP** At present, there are no standard EPA methods for analyzing PFAS in environmental media, but EPA officials have stated the agency will have draft methods for water and solids by fall 2017. For the purpose of Michigan's continued engagement on this critical issue, as well as the betterment of EPA's developing approach to addressing PFAS nationwide, when do you expect these methodologies will be complete?
3. **OW** The EPA issued a drinking water health advisory for PFAS in May 2016, however, the advisory is non-enforceable and non-regulatory. Do you foresee changes to EPA's role in regulating PFAS contamination at the national level?
4. **OAR** In the Motor Fuels Act of 1988 Congress established a variety of alternate fuel incentives to be used by NHTSA in the administration of the CAFE fuel economy regulations. EPA originally used the same statutory incentives as NHTSA therefore vehicle emissions and fuel economy incentives were harmonized. But in 2012, under the previous administration, EPA diverged from this harmonization by favoring electric vehicles over other alternative fuel vehicles thereby nullifying Congressional intent. Do you think it would be good policy for EPA to return to its previous approach and harmonizing its emissions incentives with NHTSA's fuel economy incentives?

The Honorable Buddy Carter

1. **OAR** The EPA issued a review of the Phase 2 Greenhouse Gas Rule for Medium and Heavy-Duty Trucks and in November the EPA issued a statement on the review of glider kits. However, we haven't seen any announcements about progress with truck trailers. Are you currently reviewing trailers as part of the rule and if so, what is the status? Please provide an update on the rulemaking process and any progress that has been made.
2. **OLEM** Which recommendations from the Super Fund Task Force have been implemented?
3. **OLEM** The EPA recently announced the full or partial removal of Superfund sites from the National Priorities List. How many cleanups will the EPA pursue in 2018 and what will those be?
4. **OLEM** In June, the EPA announced an interim remedy for the Superfund site located at Terry Creek in my district. What is the status of that effort?

5. **OLEM** This committee has been looking to make sensible reforms to the program. Are there any legislative actions that this committee would need to take to aid in reforming the program?

The Honorable Michael Burgess

1. **OGC/OECA** In my State of Texas, we have become too familiar with the EPA making examples of a few people to scare everyone else into compliance. Could you explain why you are intentionally moving away from heavy handed regulatory treatment and moving more toward building partnerships with States and industry to improve the environment?
2. **OP** Some of your critics view the EPA as if it's a factory; where success is measured by the quantity of rules issued, grants passed out, or enforcement cases brought. Rarely do people size up EPA by compliance achieved or improvements in the environment. What goals, budgetary or otherwise, are you setting for individual programs and what metrics are being used to measure progress or success of an office or program?
3. **OLEM/OECA/OGC** I'd also like to touch on the spill at the Gold King Mine. Shortly after the spill occurred there, I visited the mine to observe the impact myself and was shocked by the severe the damage was at that time. Could you please provide me an update on the situation there and the status of the claims brought by the victims?
4. **OARM** EPA's authority to use the Title 42 hiring authority derives from an appropriations rider and not legislation originating from either the House Energy & Commerce or Senate Environment & Public Works Committees. Does the EPA intend to continue to use Title 42 to hire and pay new and existing employees under this authority?
 - a. Does EPA intend to formally ask the authorizing committees for special hiring authority or will it continue to base its authority on the appropriations rider?
 - b. Has EPA ever formally or informally requested such authority from the authorizing committees? If so, when?
 - c. Has the EPA ever proposed language similar to the Title 42 hiring authority be included in any of its authorizing legislation?
 - d. Does EPA intend to continue to request that the Appropriations Committee include this rider in future appropriations legislation?
 - e. Does EPA intend to ask the Appropriations Committee for any increase to the currently allowed number of employees it may pay under Title 42?

The Honorable Frank Pallone

Superfund:

OLEM During the hearing, you suggested that you proposed cutting the budget for Superfund cleanups because more money is not needed. You also said that there are very few orphan sites, meaning sites that will require public cleanup funds. However, in 2015, the Government Accountability Office found that as federal funding for cleanups has declined, the number of construction completions and remedial action completion declined while the number of National Priority List sites remained constant. In other words, less money buys fewer needed cleanups.

1. How many sites, exactly, on the National Priority List require public cleanup funds?

Environmental Justice:

OP/OLEM Since the issuance of Executive Order 12898 in 1994, EPA has been required to incorporate the goal of environmental justice into its mission. As part of that executive order, and in keeping with Title VI of the Civil Rights Act of 1964, EPA is required to ensure all of its activities that affect human health and the environment do not directly or indirectly discriminate on the basis of race, color, or national origin.

2. What are you doing to ensure that EPA's response and recovery efforts in Puerto Rico and the U.S. Virgin Islands comply with the Executive Order on environmental justice and the Civil Rights Act?

OP/OLEM Environmental justice is also a serious concern in the Agency's response to Hurricane Harvey because of disparities between communities affected by that storm.

3. What have you been doing to ensure that EPA's response and recovery efforts in Texas comply with the Executive Order on environmental justice and the Civil Rights Act?
4. What direction, if any, have you given to your Regional Administrators and other regional staff with regard to ensuring environmental justice in EPA's hurricane response? Please provide any memoranda or email correspondence you or your staff have sent to regional staff on the subject of environmental justice and hurricane response.
5. Who on your staff is tasked with coordinating response efforts across the regions to ensure equal treatment for the people of Puerto Rico and the U.S. Virgin Islands?

OP/OGC Since assuming your position as Administrator, you have delayed or abandoned numerous rules and regulations that would have protected vulnerable communities.

6. Do you believe that your decision to abandon EPA's proposed ban of the dangerous pesticide chlorpyrifos complies with the Executive Order on environmental justice and the Civil Rights Act?
7. Do you believe that your decision to delay the important amendments to the Risk Management Planning program complies with the Executive Order on environmental justice and the Civil Rights Act?

8. Do you believe that your actions delaying notifying communities that are out of attainment with the 2015 ozone National Ambient Air Quality Standard complies with the Executive Order on environmental justice and the Civil Rights Act?
9. Do you believe that your decision to repeal the Clean Power Plan complies with the Executive Order on environmental justice and the Civil Rights Act?
10. Do you believe that your decision to delay revisions to the Lead and Copper Rule complies with the Executive Order on environmental justice and the Civil Rights Act?

Management of Toxic Pesticides:

11. **OCSPP** Documents reveal that Monsanto employees may have ghostwritten scientific papers on glyphosate, including papers published in the journal *Regulatory Toxicology and Pharmacology*, which has an editorial board populated by industry scientists, lawyers and consultants with clear financial ties to the chemical industry. Has EPA relied on those studies in its evaluation of glyphosate?
12. **OCSPP** Did EPA rely on studies from that journal in its decision to deny the petition to ban chlorpyrifos?
13. **OCSPP** In 2015, the Food and Drug Administration (FDA) agreed with recommendations from GAO¹ that glyphosate monitoring should be done, but subsequently suspended its efforts to conduct that monitoring.² Documents suggest that this decision may have been made under pressure from an EPA employee working with Monsanto. Please provide any email or other correspondence between EPA employees and FDA employees regarding glyphosate monitoring.
14. **OCSPP** EPA's March 30 decision on chlorpyrifos will allow continued use of this dangerous pesticide on golf courses. Did trade associations representing the Trump Organization golf courses, or lobbyists who represent the Trump Organization, communicate with EPA, the White House, or the Trump transition team regarding the March 30 decision or chlorpyrifos in general?

Transparency:

OP/OGC Nearly thirty-five years ago, in his landmark "Fishbowl Memo," Administrator Ruckelshaus announced that he would release his appointment calendar on a weekly basis, and he directed the Deputy Administrator and all Assistant Administrators, Associate Administrators, Regional Administrators, and Staff Office Directors to do the same. Administrator Ruckelshaus emphasized that "EPA will not accord privileged status to any special interest group" and that the

¹ U.S. Government Accountability Office, "Food Safety: FDA and USDA Should Strengthen Pesticide Residue Monitoring Programs and Further Disclose Monitoring Limitations" (Nov. 6, 2014).

² Gillam, C. *FDA Suspends Testing for Glyphosate Residues in Food* (Nov. 11, 2016) (http://www.huffingtonpost.com/carey-gillam/fda-suspends-glyphosate-r_b_12913458.html)

public should be “fully aware of [top officials’] contacts with interested persons.” In the intervening decades, Administrators serving under both Democratic and Republican Administrations have upheld this practice. But your senior management team has yet to release its calendars, undermining agency transparency and raising questions about who may be accessing and influencing top EPA officials. EPA has recently provided the public with a “summary” of your calendar, and provided some heavily redacted records of your calendar through March 31. But the agency still has not released the actual records of your daily calendars since March, despite numerous FOIA requests for them.

15. Will you commit to making your schedule public on a regular basis, so that Congress, the press, and ordinary Americans can see who you are meeting with?
16. Will you commit to directing your senior officials to release their calendars on a regular basis?

OEI/OGC We are also concerned about delays in EPA’s response to FOIA requests under your administration. EPA’s failure to meet the deadlines specified in the Freedom of Information Act results in legal violations, which then subject EPA to repeated lawsuits.

17. Given the legal expenses and waste of resources caused by EPA’s failure to comply with FOIA deadlines, do you agree that EPA should streamline the review process for release of documents to eliminate any unnecessary steps, such as multiple levels of document review?
18. Do you think it is appropriate for political appointees and advisors to hold up the release of document for further review, even when documents have already been determined to be public documents not subject to FOIA exemptions by FOIA officers and FOIA attorney advisors?
19. Why would it be necessary for the documents to undergo a political review if they are public documents under the law?
20. It appears that EPA has now adopted a policy of responding to FOIA requests based only or primarily on the date of the request, regardless of the type of information requested, the simplicity of the request, or the relevance of the information to the public. Is that correct?
21. If not, please describe in detail the criteria that EPA is now using to prioritize processing FOIA requests?
22. Given EPA’s large backlog, under your current approach, how long will it be before you respond to a substantial number of requests regarding your tenure and release documents generated during your tenure (besides those documents that EPA releases when a lawsuit is filed)? Please provide an estimate in weeks, months, or years.
23. Will you establish a policy of responding to new FOIA requests on an ongoing basis, rather than relegating them to the back of the line and without waiting to be sued on each request?

OGC It has been reported that you and other political appointees have directed staff to avoid creating public records that could be subject to FOIA requests, such as directing staff to provide

internal policy decisions orally instead of by electronic mail or directing staff not to take notes in meetings.

24. Do you agree that EPA is required to create and maintain records that document the formulation of the agency's decisions, and the people and matters dealt with by the agency, so that proper scrutiny by Congress and other agencies is possible?
25. Have you or other political employees provided any direction to staff that could discourage them from creating such records?

Contract with Definers Public Affairs:

OPA/OGC On the day you testified before Energy and Commerce, EPA entered into a no-bid contract with Definers Public Affairs to provide “news analysis and brief service focusing on EPA work and other topics of interest to EPA.”³ The awarding of this contract without full and open competition to a company with no apparent experience in providing these services to a Federal agency is concerning, as are the political lobbying activities of the firm. Though Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA’s selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

26. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.
27. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?
28. Was Definers, AmericaRising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?
29. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?
30. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.

³ EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017)

31. On December 10, the New York Times published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration.⁴ EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.
32. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propoganda Prohibition and Anti-Lobbying provisions?
33. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

Enforcement:

OECA As noted above, on December 10, the New York Times published an article identifying an alarming decrease in enforcement actions during your administration. Specifically, their analysis shows your EPA has brought one quarter fewer cases than President George W. Bush's EPA and one-third fewer cases than President Barack Obama's EPA over comparable periods. The analysis also shows that you have sought significantly smaller amounts in civil penalties.

34. Can you explain why EPA has pursued fewer enforcement cases under your leadership?
35. Please describe any complaints you have received from communities/others who have been seeking, but apparently failing to receive relief from EPA from polluters?
36. Have you been asked by anyone in industry to change EPA's enforcement policies?
37. If so, please describe those conversations.
38. Can you explain any changes you have made to testing procedures and policies (e.g. requests for information) permitted by your regional offices, enforcement officers or other EPA staff, why those changes were made and what effect they have had on enforcement?

Co-Benefits of Air Rules:

OGC You have questioned EPA's prior evaluations of public health protections that have included "co-benefits" of deadly particulate matter.

39. Do you agree there is judicial precedent upholding EPA's approach to consider co-benefit pollution reductions?
40. Why or why not?

⁴ Eric Lipton and Danielle Ivory, *Under Trump, EPA has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers*, New York Times, (Dec. 10, 2017), <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

41. Are you planning to seek legal review of this matter?
42. Are you planning to try to change the way co-benefits, like PM2.5, are counted or considered in EPA rulemakings?
43. If so, why and what evidence do you have to support such a change?

Ozone:

OAR For the 2015 Ozone rule, the Clean Air Act required all states and Tribes to submit attainment designation recommendations by October 1, 2016, and EPA was required to finalize area designations a year after. On November 6, the agency issued attainment designations for those areas that meet the 2015 standard, however EPA failed to release any nonattainment designations. In response to questions about EPA missing deadlines associated with the 2015 Ozone rule, you said the delay was due to “information that has not been provided by the states.”

44. Please provide a list of all states or Tribes who have not submitted designation recommendations to EPA for the 2015 Ozone standard. What information is still outstanding from these states or Tribes?
45. To date, has EPA notified any states or Tribes that it intends to modify any of their recommended designations? Please provide the Committee with a list of these states or Tribes, and copies of the notice provided by EPA.
46. Have you been in contact with any industry representatives or states about delaying the implementation of the 2015 Ozone standard as it relates to finalizing the remaining designations? If so, please describe the nature of your meetings and communications.
47. The Unified Regulatory Agenda included a reference to using “additional time afforded by the designations extension to finalize necessary guidance” related to the 2015 Ozone standards. However, after legal challenges from states and others, you walked back your effort to delay implementation of these standards.
 - a. Can you clarify what “extension” this refers to in the Unified Agenda?
 - b. Why would EPA need an extension to issue remaining designations?
48. When can we expect EPA to issue the remaining designations?
49. Who is on the Ozone Compliance Task Force, and what is its roll in implementing the 2015 Ozone standard? Please provide the Committee with a list of participants, schedule, meetings, materials, and communications.

Climate Change:

50. **OAR** Federal courts have held that the quantity of emission reductions to be achieved is an important consideration in determining the “best system of emission reduction” for sources under section 111 of the Clean Air Act. What weight will you give to achieving significant emission reductions in considering a replacement for the Clean Power Plan?

OAR At the hearing you questioned the integrity of the rulemaking that led up to EPA’s December 2009 science-based finding that greenhouse gas pollution endangers public health and welfare. As you know, EPA received over 380,000 comments on the Endangerment Finding, responded to 10 petitions for reconsideration, and explained its determination in almost one thousand pages of documentation in the Federal Register and supporting technical documents. A three-judge panel of the D.C. Circuit unanimously upheld that finding in 2012 against a barrage of legal challenges, finding that it was supported by ample evidence and that EPA had appropriately relied on authoritative analyses by the Intergovernmental Panel on Climate Change, the U.S. government and other sources.

51. Please explain why you continue to question the process that led to the Endangerment Finding in light of this history and the D.C. Circuit’s decision?

OAR You recently stated that you intend to move forward imminently with a so-called “red team” exercise in which you will convene rival panels of scientists to debate climate science, just weeks after the Administration’s Global Change Research Program released a “Climate Science Special Report” confirming that human activities are “the dominant cause” of observed climate change, and that climate change is already having adverse impacts around the country. This report was authored by scientists from multiple Federal agencies, national laboratories, universities, and the private sector, and went through six stages of external review including review by the National Academies of Sciences, Engineering, and Medicine and an open public comment period.

52. Please explain why the “red team” exercise a good use of scarce Agency resources in light of the extraordinary research and review that the Administration invested in the CSSR?

Budget:

OCFO It was recently reported that officials at the Center for Disease Control and Prevention are being directed to not use seven words or phrases in official documents for the FY 2019 Budget. The forbidden words are “vulnerable,” “entitlement,” “diversity,” “transgender,” “fetus,” “evidence-based” and “science-based.”

53. Is EPA also barred from using “vulnerable,” “entitlement,” “diversity,” “transgender,” “fetus,” “evidence-based” or “science-based,” in official budget documents?
54. Does EPA have a list of forbidden words or phrases for official budget documents? If so, please provide the Committee with such list.

OCFO/OARM EPA has been experiencing a workforce reduction, including through the use of buy-outs.

55. Please detail the status of workforce reductions conducted to-date, during this administration, including overall net personnel reductions?
56. In what offices and programs have net reductions occurred?
57. Please detail the categories in which workforce reductions have occurred in 2017, such as buy-outs, other voluntary separations, reductions-in-force, etc.
58. In 2018, what additional workforce reductions are planned, assuming funding is available to accomplish them?
59. In which programs and offices are reductions planned?
60. What closures or other changes to the current EPA regional offices or labs are planned for 2018 or beyond?

The Honorable Paul Tonko

1. Travel to Morocco

OP On December 12, EPA issued a press release, “Administrator Pruitt Promotes Environmental Cooperation with U.S. Partners in Morocco.” While no members of the press accompanied you on this trip, it was reported that the purpose of the trip was to promote U.S. natural gas exports.

- a. Please provide an itinerary of your trip along with total estimated costs to U.S. taxpayers for you and any accompanying staff, including security details.
- b. How does promoting U.S. LNG exports fit into your “Back to Basics” agenda?
- c. What authority does EPA have related to the exportation, sale, or promotion of U.S. LNG?
- d. Please provide a list of companies, trade associations, or natural gas industry representatives that you or your staff have been in contact with regarding U.S. LNG exports. Please provide all records, communications, emails, meeting attendance or materials for any of these interactions.
- e. This trip was not publicly announced until EPA issued a press release once you had already arrived in Morocco. Moving forward, will you commit to publicly announcing all foreign and domestic trips prior to traveling?

2. Science at EPA

ORD/OAR In the draft FY 2018-2022 EPA Strategic Plan, you have promised to “prioritize robust science.” Under Objective 3.3 of the draft plan, you say that “EPA will identify, assess, conduct, and apply the best available science to address current and future environmental hazards, develop new approaches, and improve the scientific foundation for environmental protection decisions.”

- a. Do you commit to ensuring that the EPA's actions and policies are guided by the latest climate science, as reflected in Volume 1 of the Fourth National Climate Assessment (also known as the Climate Science Special Report or CSSR), and as described in statements and reports from the National Academy of Sciences?
- b. Do you agree with the CSSR's conclusion that "it is *extremely likely* that human influence has been the dominant cause of the observed warming since the mid-20th century... For the warming over the last century, there is no convincing alternative explanation supported by the extent of the observational evidence"?
- c. Do you commit to making information about climate change prominently available on the EPA's website, alongside information about other critical issues related to human health and the environment?
- d. Regarding the October 31 Science Advisory Board directive, can you please provide specific examples of when an EPA grant recipient on an advisory committee provided conflicted advice?
- e. On October 22, the New York Times reported, "E.P.A. Cancels Talk on Climate Change by Agency Scientists." Why were EPA scientists prohibited from speaking at a Rhode Island conference on climate change?
- f. Moving forward, will EPA scientists have the opportunity to communicate publicly about their research?

3. **Advisors to the Administrator**

OP/OGC On December 13, it was reported that Dr. Michael Dourson withdrew his name to serve as Assistant Administrator for the Office of Chemical Safety and Pollution Prevention.

- a. In October, it was reported that Dr. Dourson was already working at the agency as an Adviser to the Administrator. Can you confirm whether Dr. Dourson has left the agency?
- b. If not, what are the roles and responsibilities of Dr. Dourson?
- c. What ethics or conflict of interest agreements apply or applied to Dr. Dourson in his role as Advisor to the Administrator?
- d. You testified that the October 31 Science Advisory Board directive was driven by a concern that "a perception or an appearance of a lack of independence in advising the Agency." Did any EPA leadership have a conversation or express concerns about the perception of conflict of interest from Dr. Nancy Beck's involvement in revising the TSCA framework rules after leaving a position with the American Chemistry Council?

4. **Enforcement Actions and Monitoring**

OCFO On December 10, the New York Times reported that EPA regional staff must seek authorization from HQ before asking companies to track their emissions. Monitoring is critical to ensure that the environmental and health gains that have been made in recent decades are not undone. Power generating facilities in the Midwest emit sulfur dioxide and nitrogen oxides, which are the major precursors of acid rain which has caused the acidification of many Adirondack lakes and ponds.

- a. The Adirondack Lake Survey Corporation receives EPA funding for long-term monitoring of water quality recovery from acid rain. Do you support continuation of this long-term monitoring funding?

5. Hudson River Superfund Site

OLEM The State of New York has stated that the Hudson River PCB cleanup has not met the goals of the program, and that additional action is needed. Federal Natural Resource Trustees have also expressed concerns. The EPA Region II office does not appear to acknowledge the scientific basis of the state's and Trustee's analysis.

- a. Will EPA reconsider the recommendations of the Second Five-Year Review Report in light of the analysis done by the State and Trustee agencies?

6. OIG

OGC The Office of Inspector General (OIG) Semiannual Report: April 1, 2017 - September 30, 2017 raised a number of issues about interference with the OIG's independence. From that report:

"A second budget impediment occurred when the OIG submitted an FY 2019 request for \$62 million to the agency for inclusion in the President's budget. Without seeking input from the OIG, the agency provided us with a request of \$42 million. The agency informed the OIG that the Office of Management and Budget mandated budget requests Semiannual Report to Congress April 1, 2017—September 30, 2017 13 could not be more than a certain percentage above the President's FY 2018 budget. The EPA also informed the OIG that the \$42 million request would not change. The OIG submitted a memorandum to the Office of Management and Budget stating the OIG's original budget request, and explaining that the EPA's submitted budget did not reflect the OIG's desired funding levels and would have significant negative impacts on OIG operations."

- a. Do you believe a fully funded, independent Inspector General is necessary for EPA to run as an efficient and accountable agency?

7. IRIS

- a. **ORD** How do you view the role of IRIS relative to ensuring full implementation of the TSCA program?
- b. **ORD** Will you commit to fully supporting the IRIS program?

The Honorable Diana DeGette

1. **OAR** Methane is up to 34 times more potent a greenhouse gas than carbon dioxide and makes up approximately ten percent of annual greenhouse gas emissions in the United States. Despite the harm methane can cause, the EPA has proposed delaying rules that would have curbed methane emissions from oil and gas industry sources. The proposed delay of the 2016 methane rule published in the Federal Register on June 16, 2017, states “the EPA believes that the environmental health or safety risk addressed by this action may have a disproportionate effect on children.”
 - a. Do you agree that children would be disproportionately affected by delaying methane emissions restrictions on the oil and gas industry?
 - b. What are the estimated costs of the health impact on children?
2. **OCSPP** During your testimony we discussed the decision on a final rule concerning methylene chloride use in paint stripper. You promised to review the status of the rule and provide an update soon after the hearing. Rules concerning N-methylpyrrolidone (NMP) and trichloroethylene (TCE) were proposed at the same time. Prohibitions against certain uses of NMP and methylene chloride were removed from the Fall 2017 Unified Agenda of Regulatory and Deregulatory Actions.
 - a. The Fall Unified Agenda was released on December 14, one week after your testimony before the committee. At what point was the decision made to remove the NMP and methylene chloride rules from the Unified Agenda?
 - b. When will EPA finalize the rules for TCE, NMP, and methylene chloride under TSCA?
 - c. What role did Michael Dourson have as an EPA adviser in determining the timeline for these rules?
3. **OLEM** In response to the explosion at the West Fertilizer Plant in Texas in 2013, EPA developed updates (the “Chemical Disaster Rule”) to Risk Management Plans (RMP) requirements. This update would have included common sense reforms, including improved accident prevention provisions and enhancements to emergency response preparation. In June 2017, the implementation of this rule was delayed. The rule had been in development for three years and was subject to more than 40,000 public comments.
 - a. During Hurricane Harvey, the Arkema Chemical plant in Crosby, Texas, experience fires due to a failure of emergency generators and backup cooling systems. First responders have filed suit against Arkema alleging that Arkema misrepresented the threat posed by chemicals at the site. A situation like this, where first responders

cannot adequately prepare to respond to emergencies at chemical production facilities, is the sort of circumstances that the Chemical Disaster Rule was designed to avoid. Have the events at the Arkema plant, where first responders were put at risk, caused you to reconsider the delay of the Chemical Disaster Rule?

- b. The proposed EPA budget for fiscal year 2018 reduced funding for inspection of sites under the RMP by 35 percent, straining a program that only has 30 inspectors for 12,500 sites. In light of the number of facilities that need to be inspected, the low frequency of inspection, and the specter of climate change related extreme weather events like Hurricane Harvey, do you still feel the cuts to the inspection program are prudent?
- 4. **OW/OCSPP** The Climax Molybdenum Mining company in Colorado has asked the state of Colorado to relax limits on molybdenum allowed in runoff from the Climax mine in Summit County Colorado. Molybdenum is on the Contaminant Candidate List 4 (CCL-4). It was also on the CCL-3. Currently, states have minimal guidance from the EPA on the potential hazards of molybdenum in drinking water.
 - a. Is EPA currently collecting data on the health or environmental impacts of molybdenum in drinking water?
 - b. Will molybdenum be part of the Regulatory Determination 4 process going forward?
- 5. **OLEM** For more than two years, I have been focused on addressing the environmental damage caused by the August 2015 release of toxic mine water from Gold King mine in San Juan County, Colorado.
 - a. I was glad to see the Bonita Peak Mining District (which includes Gold King mine) was included on the list EPA released on December 8, 2017, of sites targeted for “immediate, intense action.” Can you elaborate on the action EPA plans to take in the Bonita Peak Mining District and the expected timeline?
 - b. On December 17, 2017, the *Denver Post* reported on the success of cleanup efforts related to toxic Argentine Mine complex near Rico, Colorado. The article noted that the part of the success is that the private company legally responsible for cleaning up the site has invested “tens of millions of dollars” in the cleanup compared to less than \$5 million the EPA has invested in the cleanup of Gold King. What additional funding will EPA invest in the Gold King cleanup?
 - c. On October 19, 2017, the *Denver Post* reported that there is uncertainty regarding the ongoing costs association with the water treatment plant EPA is operating to clean up water from Gold King Mine. The annual cost of operating the plant is \$1.2 million and it produces toxic sludge while purifying the runoff. What is the EPA’s long-term plan for the plant costs?
 - d. What is the status of finding a permanent solution for the waste sludge from the plant?

The Honorable Jerry McNerney

1. **OAR** At the December 7th hearing, I stated that less than half of the U.S. population was included in the ozone designations laid out by the EPA. Though this statement was not made in the form of a question, Administrator Pruitt interjected, proclaiming that the lack of inclusion was due to missing information that needs to be submitted by states. However, on the EPA's website, there is [a full list of state recommendations](#) from 2015. Will the Administrator please explain his statement and what information is missing from which states?

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Greg D'Andrea
Sent: Wed 12/27/2017 8:04:50 PM
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Sure thing Nancy. When do you have time to discuss this week? I'm in both tomorrow and Friday.

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com
CISION

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Tuesday, December 26, 2017 4:22:30 PM
To: Greg D'Andrea
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Let's discuss when we connect later this week.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Tuesday, December 26, 2017 11:34 AM
To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

This is good news as they include real time monitoring which was a feature of definers.

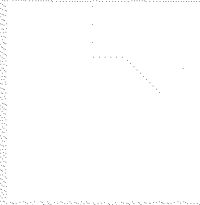
Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Kevin Akeroyd [mailto:executivecommunications@cision.com]
Sent: Tuesday, December 26, 2017 11:30 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities





Cision® Acquires PRIME Research

Hello Nancy,

I am excited to announce that *Cision® has signed a definitive agreement to acquire PRIME Research*, a global leader in media measurement services – enhancing Cision's role as a leader of software and services for communications professionals. This acquisition furthers Cision's goal of becoming the one-stop provider for brands who want to identify their ideal influencers, craft engaging campaigns, and attribute meaningful value to those campaigns. It also bolsters the business value of the Cision Communications Cloud®, our all-in-one platform for communicators.

Combining the expertise of the two companies will improve our ability to help communicators transform their overall media mix to deliver greater value and, of increasing importance, better measure the ROI of their earned media efforts. Some of the largest brands in the world rely on both Cision and PRIME to deliver on that measurement challenge.

PRIME is a global company with offices in Europe, North American and Asia-Pacific. They have over 500 clients and service some of the world's most prestigious brands such as MasterCard, Jaguar and Honda. They bring to Cision additional capabilities with respect to real-time monitoring and analysis across digital, print, TV, and

online news. It also includes a wide range of social media outlets, including Twitter, Facebook, Google+, YouTube, blogs, forums, WeChat and Weibo. PRIME provides clients with a highly customizable dashboard for their news and media monitoring 24 hours a day. In addition to its global reach, PRIME has deep industry expertise across many different verticals including, automotive, retail and technology. The IP and know-how developed through gaining expertise within these verticals will be made available to all Cision customers.

Today's announcement comes on the heels of Cision's acquisition of CEDROM-SNi Inc., a firm specializing in digital media monitoring solutions. Stay tuned for future announcements that will further detail the many ways these acquisitions will benefit you as we integrate additional capabilities into the Cision Communications Cloud platform.

To learn more about the acquisition or Cision Communications Cloud, please contact us at executivecommunications@cision.com or visit cision.com.

Best,
Kevin Akeroyd
CEO, Cision

Cision® Acquires PRIME Research

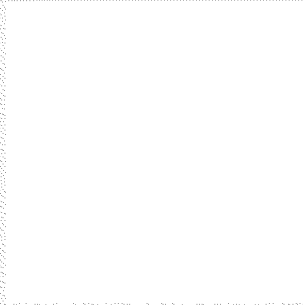
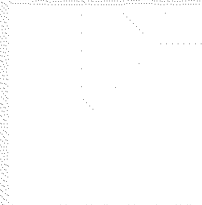
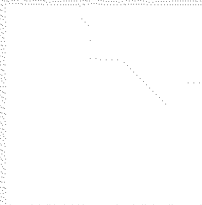
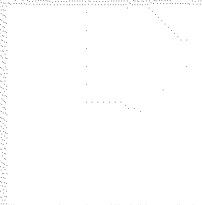
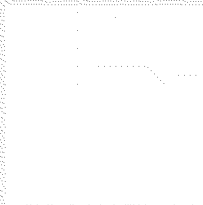
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130 E Randolph St. 7th Floor Chicago, IL 60601, USA

www.cision.com

This email was sent to grantham.nancy@epa.gov by Cision US.

If you no longer wish to receive these emails you may unsubscribe at any time.



To: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Julia Cotrone
Sent: Tue 10/10/2017 4:33:43 PM
Subject: Definers/EPA

Hi Nancy,
I just wanted to check in and make sure you arnt waiting on any information from us to move forward. Please let me know if there is anything I can do to help on our end.

Thanks!

--

Julia Cotrone

O: 571.290.5461 Personal Phone / Ex. 6

From: jcotrone@definerscorp.com
Location: Nonresponsive Conference Code / Ex. 5
Importance: Normal
Subject: Invitation: EPA/Definers Onboarding Call @ Wed Dec 20, 2017 2pm - 3pm (grantham.nancy@epa.gov)
Start Time: Wed 12/20/2017 7:00:00 PM
End Time: Wed 12/20/2017 8:00:00 PM
Required Attendees: Grantham, Nancy; wschenkel@definerscorp.com; wsouthworth@definerscorp.com; mhess@definerscorp.com; mchenderlin@definerscorp.com; jpounder@definerscorp.com

[invite.ics](#)

Required Attendees: Grantham, Nancy; wschenkel@definerscorp.com; wsouthworth@definerscorp.com; mhess@definerscorp.com; mchenderlin@definerscorp.com; jpounder@definerscorp.com

[more details »](#)

EPA/Definers Onboarding Call

Nonresponsive Conference Code / Ex. 5

When Wed Dec 20, 2017 2pm – 3pm Eastern Time

Where

Nonresponsive Conference Code/ Ex. 6

[map](#))

Calendar grantham.nancy@epa.gov

Who

- jcotrone@definerscorp.com - organizer
- Grantham.Nancy@EPA.gov
- wschenkel@definerscorp.com
- wsouthworth@definerscorp.com
- mhess@definerscorp.com
- mchenderlin@definerscorp.com
- jpounder@definerscorp.com

Going?[Yes](#) - [Maybe](#) - [Nomore options](#) »

Invitation from [Google Calendar](#)

You are receiving this email at the account grantham.nancy@epa.gov because you are subscribed for invitations on calendar grantham.nancy@epa.gov.

To stop receiving these emails, please log in to <https://www.google.com/calendar/> and change your notification settings for this calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. [Learn More](#).

Required Attendees: Grantham, Nancy; wschenkel@definerscorp.com; wsouthworth@definerscorp.com; mhess@definerscorp.com; mchenderlin@definerscorp.com; jpounder@definerscorp.com

To: Knapp, Kristien[Knapp.Kristien@epa.gov]; Aarons, Kyle[Aarons.Kyle@epa.gov]; Richardson, RobinH[Richardson.RobinH@epa.gov]
From: Grantham, Nancy
Sent: Tue 6/19/2018 10:13:18 PM
Subject: FW: Definers Corp. contract?

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Tuesday, June 19, 2018 5:20 PM
To: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Press <Press@epa.gov>
Subject: Definers Corp. contract?

Hey everyone,

It's Kevin Bogardus with E&E News.

I'm working on a story about Sens. Whitehouse and Harris' letter to Administrator Pruitt about the Definers Corp. contract. Does EPA have any response to this letter?

Please get back to me as soon as possible. My deadline is 8 pm EST tonight but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus
E&E News reporter
kbogardus@eenews.net
202-446-0401 (p)
Personal Phone / Ex. 6
202-737-5299 (f)

Follow me [@KevinBogardus](#)

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From: Davidson, Richard (Whitehouse) [mailto:Richard_Davidson@whitehouse.senate.gov]
Sent: Tuesday, June 19, 2018 4:24 PM
To: Davidson, Richard (Whitehouse) <Richard_Davidson@whitehouse.senate.gov>
Subject: RELEASE: Whitehouse, Harris Press Pruitt on EPA Political Appointees Steering No-Bid Contract to GOP Firm

FOR IMMEDIATE RELEASE	Contact:
June 19, 2018	Rich Davidson (Whitehouse), 202-228-6291
	Tyrone Gayle (Harris), 202-897-6212

Whitehouse, Harris Press Pruitt on EPA Political Appointees Steering No-Bid Contract to GOP Firm

Washington, DC – Senators Sheldon Whitehouse (D-RI) and Kamala Harris (D-CA) asked Environmental Protection Agency (EPA) head Scott Pruitt to explain why political appointees apparently initiated a no-bid, federal contract with Definers Public Affairs, a company that shares leadership, staff, and an address with America Rising, a political action committee that funded a campaign to confirm Pruitt as EPA Administrator.

The Senators point to EPA documents and Senate investigators’ interviews with EPA staff that show it was President Trump’s EPA beachhead team that canceled the contract with the previous media-monitoring vendor, and that it was EPA’s public affairs team – many of them political appointees – that pointed career staff toward contracting with Definers. The Senators also note that the EPA’s main justification for awarding the contract—that “Definers offers unique services”—appears to be based on information Definers itself provided to the EPA, and that a range of other vendors offer substantially similar services. The EPA’s justification appears to be a pretext for avoiding competitive bidding for this contract, as well as the suggestion that career staff were told by political staff to hire Definers, it would appear that this contract may be a quid pro quo for America Rising’s support of Pruitt’s confirmation. Such a quid pro quo would violate federal contracting rules.

These issues demand answers, the Senators write.

“You recently gave an interview in which you stated that you ‘care so much about taxpayer money,’” the Senators write. **“EPA’s decision to award a no-bid contract to a politically connected firm suggests precisely the opposite, and your slow and incomplete response to our inquiries in this matter further suggests that you continue to waste taxpayer money and are not being ethically compliant based on your numerous questionable agency expenditures.”**

Following revelations about the Definers contract and questions from Whitehouse and Harris, EPA canceled the \$120,000 contract in December.

America Rising and its affiliates have a long record of providing political support to Pruitt and his work at the EPA. [Documents](#) show America Rising, led by the same opposition research experts at Definers, has been combing EPA records for communications between EPA staff and the news media and Democratic members of Congress. The group coordinated a campaign to ease Scott Pruitt’s confirmation as Administrator that included ads urging Senators to vote for his confirmation and a website, www.ConfirmPruitt.com (now defunct). America Rising also runs a website called the Need to Know Network that provides favorable coverage to Pruitt’s work at the EPA.

Full text of the Senators’ letter is below. A PDF copy is available [here](#).

Dear Administrator Pruitt:

We again write to you regarding the Environmental Protection Agency’s decision to award a no-bid contract to Definers, a consulting firm that shares leadership staff, and office space with America Rising, a political action committee (PAC) which was active in supporting your confirmation as Environmental Protection Agency (EPA) Administrator. This contract is deeply concerning because it suggests a quid pro quo and would seem to violate the law, as outlined below.

On December 19, 2017, we first wrote to you inquiring about this contract with Definers for media clipping services. On April 27, 2018, EPA responded and your response included documents related to the now-cancelled Definers no-bid contract. On May 11, 2018, EPA staff attempted to answer questions from our staff in a phone call regarding the documents provided in EPA’s April 27 response. Despite these disclosures and discussions, key facts about this how this contract was awarded remain unknown.

I. How was Definers identified as the contractor of choice?

EPA provided one email chain related to the Definers contract; the first of these emails is dated November 2, 2017. While parts of these emails have been redacted, the first email in this chain mentions a “JOFOC” or Justification for Other than Full and Open Competition, indicating that EPA had already chosen a contractor. A November 13, 2017 email in the chain identifies Definers as the contractor.

Government contracts are not awarded without prior discussion and thorough deliberation, so we find it hard to believe

that the first email mention of Definers at EPA occurred after Definers had already been chosen. “Definers” is a rarely used word, so it should be straightforward for your staff to obtain all emails in which Definers the company is mentioned.

During our May 11, 2018 phone call with EPA career staff, we were told that EPA’s contract with Bulletin Intelligence was cancelled in early 2017 at the direction of President Trump’s EPA beachhead team because it “wasn’t meeting their needs.” EPA career staff further advised us that your public affairs team first “made [them] aware” of Definers and its media clipping services. Career staff stated they were be unable to recall who on your team told them about Definers and what specific instructions they were given.

Documents provided (and not provided) by EPA and statements by career staff seem to indicate that the decision to hire Definers was driven by political appointees. Given the fact that Definers shares executives and leadership with America Rising, which bankrolled a campaign supporting your confirmation as EPA Administrator, a decision to steer a contract outside the typical contracting process to Definers would seem to violate Subpart 3.101-1 of the Federal Acquisition Regulation (“The general rule is to avoid strictly any conflict of interest or even the appearance of a conflict of interest in Government-contractor relationships”) and Title 5 of the Code of Federal Regulations Section 2635.101(b)(8) (“Employees shall act impartially and not give preferential treatment to any private organization or individual”).

II. Does Definers offer unique services that would justify EPA’s decision to forego competitive bidding for this contract?

In our December 19 letter, we asked you to explain what “provision of the Federal Acquisition Regulation (FAR) authorized a no-bid contract for the type of services EPA procured from Definers.” In EPA’s April 27 response, Liz Bowman, your former Associate Administrator for the Office of Public Affairs, attempted to justify the no-bid nature of the Definers contract by writing that “Definers offers unique services” and “[EPA] was not aware of any other company that provided or had available this feature of real-time coverage for specific events.”

Among the documents provided with EPA’s April 27 response is a JOFOC dated November 29, 2017 (Attachment II). In this document, EPA lists the following “unique qualifications” that “require” the use of the only one responsible source exception to competitive bidding practices:

- Proprietary advanced search functions
- Standalone media clip database including perpetual retention so that information is always available regardless of email retention policies or other limitations of email platforms
- Ability to pre-load a customized Console with the issues, public figures, and news data relevant to customers, populated in real time
- Specially trained and experienced researchers to provide relevant and actionable analysis
- Digital and human analytics coverage throughout the day
- Media tags that are tailored to the customer’s areas of interests, which allow for quick sorting and tracking of customized data streams
- Delivered through a proprietary web interface, which allows for email distribution as well.

Additionally, the JOFOC states that “[l]eading providers Cision [...], Bulletin Intelligence [...], and Critical Mention [...] do not provide the combined services sought by EPA’s Office of Public Affairs.” During the May 11 call between our staffs, EPA career staff indicated they conducted a search to see if other companies offered media clipping services similar to Definers’ services, particularly its claimed ability to provide clips in “near live-time,” but determined they did not.

Our staff subsequently spoke with a representative from Cision, who explained that Cision gives clients the option of receiving email alerts every hour containing the latest stories of interest. Cision’s clients may also log into their “my coverage” portal at any time to see the latest stories of interest; the portal is updated in close to real time. Cision’s representative confirmed that it offers all of the functionalities listed in the JOFOC as “unique” to Definers.

Another company allegedly researched by EPA staff, Bulletin Intelligence, also appears to offer “near live-time” capabilities. According to its website, its dashboard provides links to “24/7 breaking news” of interest to its clients.^[1] Bulletin Intelligence’s description of its services also seems to match most of the functionalities listed in the JOFOC as “unique” to Definers.

A third company allegedly researched by EPA staff, Critical Mention, claims that its clients can see coverage “one minute after it appears – more than 8 times faster than the industry standard” on an “all-in-one platform” that offers “real-time media monitoring.”^[2] Its description of its services also seems to match most of the functionalities listed in the JOFOC as “unique” to Definers.

Moreover, a simple internet search identified several other similar companies that offer the services that the JOFOC claimed to be “unique” to Definers. These companies include Metro Monitor (“[r]eceive reports of your media coverage as it happens”^[3]) and Universal Information Services (“[r]eceive scheduled or near real-time e-mail notifications when your stories air”^[4]).

The JOFOC and the email chain suggest that EPA staff did little independent vetting of this contract, and instead relied upon Definers’ own representations about its services. The JOFOC description of Definer’s “unique qualifications” appears to have been copied almost verbatim from Definers’ promotional materials. It is replete with words such as “proprietary” and “customers” that one would not expect to see in a description written by EPA staff. Under the section of the JOFOC titled “[o]ther facts supporting the use of other than full and open competition,” EPA staff wrote:

“Definers Corp. states that no other service gives their clients the high level and comprehensive search functions that it offers through its customized Console. Clients have the ability to tailor their tags and tailor who from their teams sees those tags. The storage and search functions of the Console are something no other clip service provides because they do not have the Definers proprietary Console.”

EPA staff also relied on Definers’ representations with respect to the reasonableness of the services’ cost. The JOFOC states that “the C[ontracting] O[fficer] has determined the cost to be fair and reasonable *based on information received from the contractor*” (emphasis added). An email dated November 13, 2017 further states that staff are “still waiting for a bit of information *from Definers* to complete the JOFOC” (emphasis added).

The availability of similar services from multiple companies and the acceptance at face value by EPA contracting staff of representations made by Definers in order to complete the JOFOC lead us to believe that EPA’s proffered reasons for the no-bid contract with Definers were pretextual.

As such, we renew our request for answers to questions 1, 3, 4, 7, 9, and 10 from our December 19, 2017 letter as they have yet to be fully answered. While we appreciate EPA’s willingness to have staff speak directly, we respectfully request that all EPA staff with full knowledge of the genesis of the Definers contract be made available to speak with our offices. We also renew our various requests for responsive documents. If there are no additional documents responsive to our original letter, we request that the appropriate official at EPA confirm that to us in writing and describe what search parameters have been used to make that determination.

Based upon the documents already provided and our May 11, 2018 discussion with career staff, we also request responses to the following additional questions:

1. Who on your team made career staff “aware” of Definers?
2. What was said to career staff in relation to Definers? Were they directed to hire Definers? If so, by whom?
3. Who made the decision to hire Definers under a no-bid contract? Please provide copies of any and all intra-agency communications relating to the decision not to use competitive bidding procedures for this contract.
4. Please explain how it is possible that the only emails we have been provided were written after Definers had already been chosen for the contract. Do no other emails mentioning Definers exist? If so, why were initial intra-agency discussions of this contract not memorialized in writing? Did anyone instruct career staff not to email about Definers? If other emails do exist, why have we not been provided them?
5. If it is your position that no one on your team instructed career staff to hire Definers, then what explains how the justification they provided for avoiding competitive bidding procedures does not appear to have any foundation in fact?

You recently gave an interview in which you stated that you “care so much about taxpayer money.”^[5] EPA’s decision to award a no-bid contract to a politically connected firm suggests precisely the opposite, and your slow and incomplete response to our inquiries in this matter further suggests that you continue to waste taxpayer money and are not being ethically compliant based on your numerous questionable agency expenditures. So that we may get to the bottom of this matter, we request that you respond by June 29, 2018 to our renewed questions on this matter.

###

-
- [1] News Analysis, Bulletin Intelligence, <http://www.bulletinintelligence.com/newsanalysis.aspx> (viewed on June 6, 2018)
- [2] Media Monitoring, Critical Mention, <http://www.criticalmention.com/media-monitoring/> (viewed on June 6, 2018).
- [3] Media Monitor Pro, Metro Monitor, <https://metromonitor.com/services/media-monitor-pro/> (viewed on June 6, 2018)
- [4] Services, Universal Information Services, <https://universal-info.com/services/> (viewed on June 6, 2018)
- [5] Kevin Bogardus, "Pruitt: 'I care so much about taxpayer money,'" E&E News (May 31, 2018), https://www.eenews.net/greenwire/stories/1060083117/most_read

To: Julia Cotrone[jcotrone@definerscorp.com]; Scott Cotter[scotter@definerscorp.com]
From: Grantham, Nancy
Sent: Tue 1/30/2018 7:09:56 PM
Subject: RE: FW: Definers contract documents for CBI review

Thanks .. please let me know ..thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Julia Cotrone [mailto:jcotrone@definerscorp.com]
Sent: Tuesday, January 30, 2018 2:09 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Scott Cotter <scotter@definerscorp.com>
Subject: Re: FW: Definers contract documents for CBI review

Adding Scott

On Mon, Jan 29, 2018 at 12:10 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:
Hi Julia,

Please see below and attached and let me know if there is anything further that you would claim as CBI – confidential business information.

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Aarons, Kyle
Sent: Wednesday, January 24, 2018 4:18 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Knapp, Kristien <Knapp.Kristien@epa.gov>
Subject: Definers contract documents for CBI review

Hi Nancy – As part of our response to congress about the Definers contract, we are planning to send a set of documents from OAM relating to the contract. The set may contain Confidential Business Information (CBI) that Definers would not want to release (most notably, cost breakdowns). We have proposed redactions in the attached set – Would it be possible for you to get this to Definers to ask if they are claiming anything else as CBI?

We are aiming to release these on Monday.

Thanks,
Kyle

Kyle Aarons
Congressional Affairs
U.S. Environmental Protection Agency
202-564-7351

--

Julia Cotrone

O: 571.290.5461

Personal Phone / Ex. 6

To: Ben Fritz[bfritz@bulletinintelligence.com]; Greg D'Andrea[Greg.DAndrea@cision.com]
From: Grantham, Nancy
Sent: Fri 12/29/2017 7:25:34 PM
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Ben Fritz [mailto:bfritz@bulletinintelligence.com]
Sent: Friday, December 29, 2017 12:32 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Greg D'Andrea <Greg.DAndrea@cision.com>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy,
Short answer is that Bulletin is not on the GSA schedule. Unfortunately the GSA is not a good match for a custom-built service like ours for several reasons. I'm traveling currently, but can provide more color next week if helpful.
Best,
Ben

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Friday, December 29, 2017 12:16:44 PM
To: Greg D'Andrea
Cc: Ben Fritz
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Thanks for the call – will send some info shortly.

Also, is Bulletin Intelligence on the GSA schedule? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Greg D'Andrea [mailto:Greg.DAndrea@cision.com]
Sent: Friday, December 29, 2017 10:33 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Ben Fritz <bfritz@bulletinintelligence.com>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy - Let me know if you can still join now. Ben and I are on the line. Dial in below...

Nonresponsive Conference Code / Ex. 5

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com



From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 5:50:25 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]
Sent: Thursday, December 28, 2017 5:46 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Great - I've just sent the invite. Call-in details are in the location field.

Talk tomorrow!

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com



From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 5:21:18 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

I could do 10:30 – can you send a scheduler with a number to call? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]
Sent: Thursday, December 28, 2017 5:18 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy - are you available earlier tomorrow - say 9:30, 10 or 10:30?

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com



From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 1:46:37 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Would 1 or 2 work for you? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]
Sent: Thursday, December 28, 2017 1:44 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Sure what time?

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com



From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 1:41:21 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Would tomorrow work? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Greg D'Andrea [<mailto:Greg.DAndrea@cision.com>]
Sent: Thursday, December 28, 2017 1:38 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy - just looking to see if you still want to connect this week or if we should wait till next week.

Let me know and Happy New Year!

-Greg

Greg D'Andrea
Account Director

CISION

From: Greg D'Andrea
Sent: Wednesday, December 27, 2017 3:04:50 PM
To: Grantham, Nancy
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Sure thing Nancy. When do you have time to discuss this week? I'm in both tomorrow and Friday.

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com
CISION

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Tuesday, December 26, 2017 4:22:30 PM
To: Greg D'Andrea
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Let's discuss when we connect later this week.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Grantham, Nancy
Sent: Tuesday, December 26, 2017 11:34 AM
To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

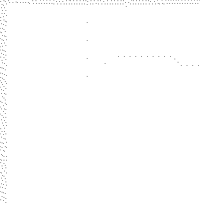
This is good news as they include real time monitoring which was a feature of definers.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Matters / Ex. 6

From: Kevin Akeroyd [<mailto:executivecommunications@cision.com>]
Sent: Tuesday, December 26, 2017 11:30 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities



Cision® Acquires PRIME Research

Hello Nancy,

I am excited to announce that Cision® has signed a definitive agreement to acquire PRIME Research, a global leader in media measurement services – enhancing Cision's role as a leader of software and services for communications professionals. This acquisition furthers Cision's goal of becoming the one-stop provider for brands who want to identify their ideal influencers, craft engaging campaigns, and attribute meaningful value to those campaigns. It also bolsters the business value of the Cision Communications Cloud®, our all-in-one platform for communicators.

Combining the expertise of the two companies will improve our ability to help communicators transform their overall media mix to deliver greater value and, of increasing importance, better measure the ROI of their earned media efforts. Some of the largest brands in the world rely on both Cision and PRIME to deliver on that measurement challenge.

PRIME is a global company with offices in Europe, North American and Asia-Pacific. They have over 500 clients and service some of the world's most prestigious brands such as MasterCard, Jaguar and Honda. They bring to Cision additional capabilities with respect

to real-time monitoring and analysis across digital, print, TV, and online news. It also includes a wide range of social media outlets, including Twitter, Facebook, Google+, YouTube, blogs, forums, WeChat and Weibo. PRIME provides clients with a highly customizable dashboard for their news and media monitoring 24 hours a day. In addition to its global reach, PRIME has deep industry expertise across many different verticals including, automotive, retail and technology. The IP and know-how developed through gaining expertise within these verticals will be made available to all Cision customers.

Today's announcement comes on the heels of Cision's acquisition of CEDROM-SNi Inc., a firm specializing in digital media monitoring solutions. Stay tuned for future announcements that will further detail the many ways these acquisitions will benefit you as we integrate additional capabilities into the Cision Communications Cloud platform.

To learn more about the acquisition or Cision Communications Cloud, please contact us at executivecommunications@cision.com or visit cision.com.

Best,
Kevin Akeroyd
CEO, Cision

Cision® Acquires PRIME Research

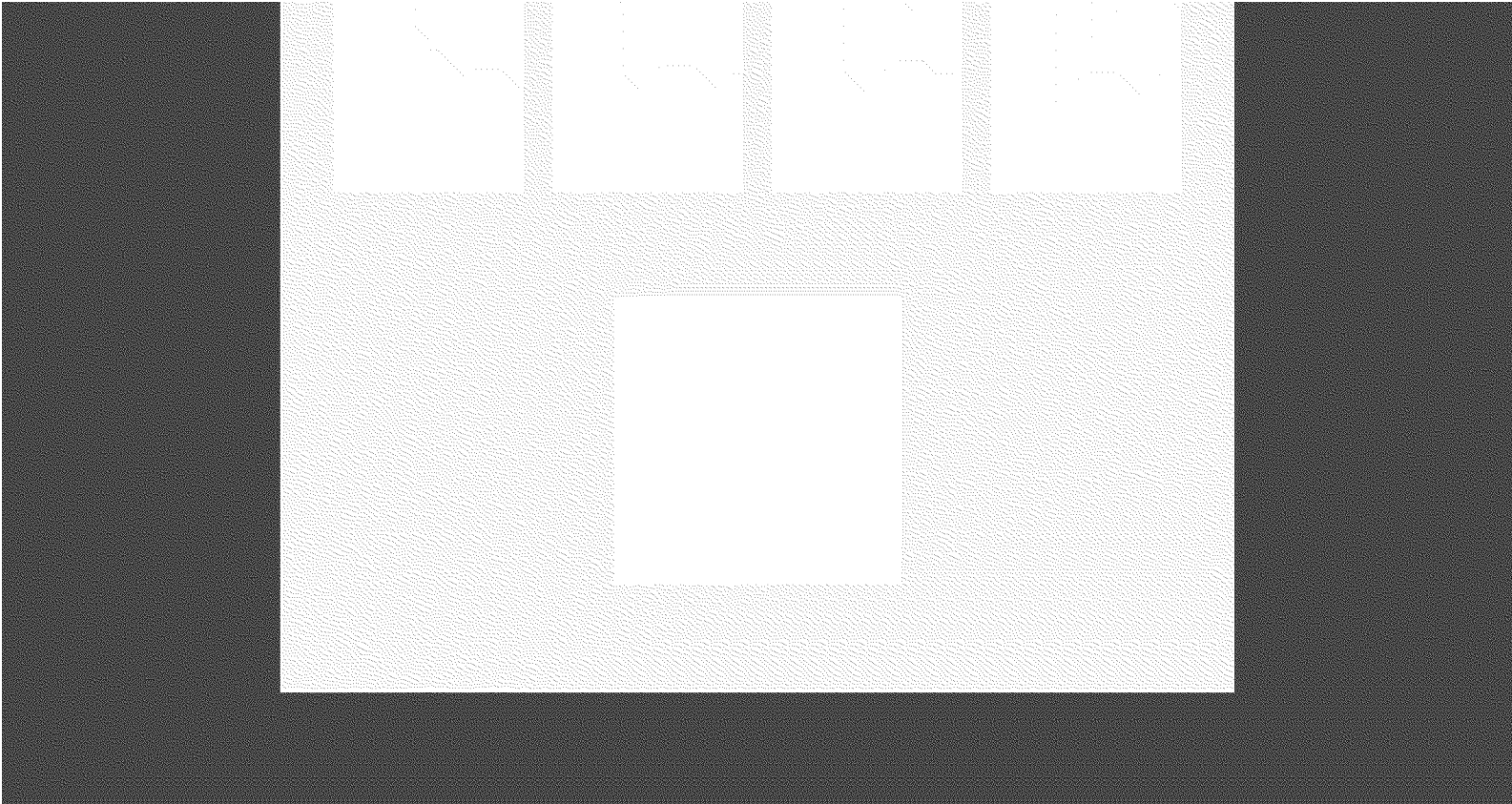
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To: Greg D'Andrea[Greg.DAndrea@cision.com]
Cc: Ben Fritz[bfritz@bulletinintelligence.com]
From: Grantham, Nancy
Sent: Fri 12/29/2017 5:16:45 PM
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Thanks for the call – will send some info shortly.

Also, is Bulletin Intelligence on the GSA schedule? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Greg D'Andrea [mailto:Greg.DAndrea@cision.com]
Sent: Friday, December 29, 2017 10:33 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Ben Fritz <bfritz@bulletinintelligence.com>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Hi Nancy - Let me know if you can still join now. Ben and I are on the line. Dial in below...

Nonresponsive Conference Line / Ex. 6

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com



From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 5:50:25 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Thanks

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Talk tomorrow!

Greg D'Andrea
Account Director

CISION

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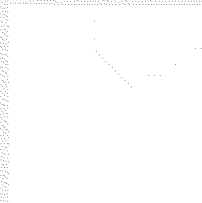
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To learn more about the acquisition or Cision Communications

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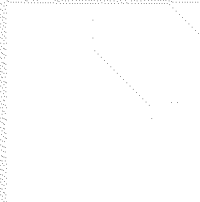
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CEO, Cision

Cision® Acquires PRIME Research

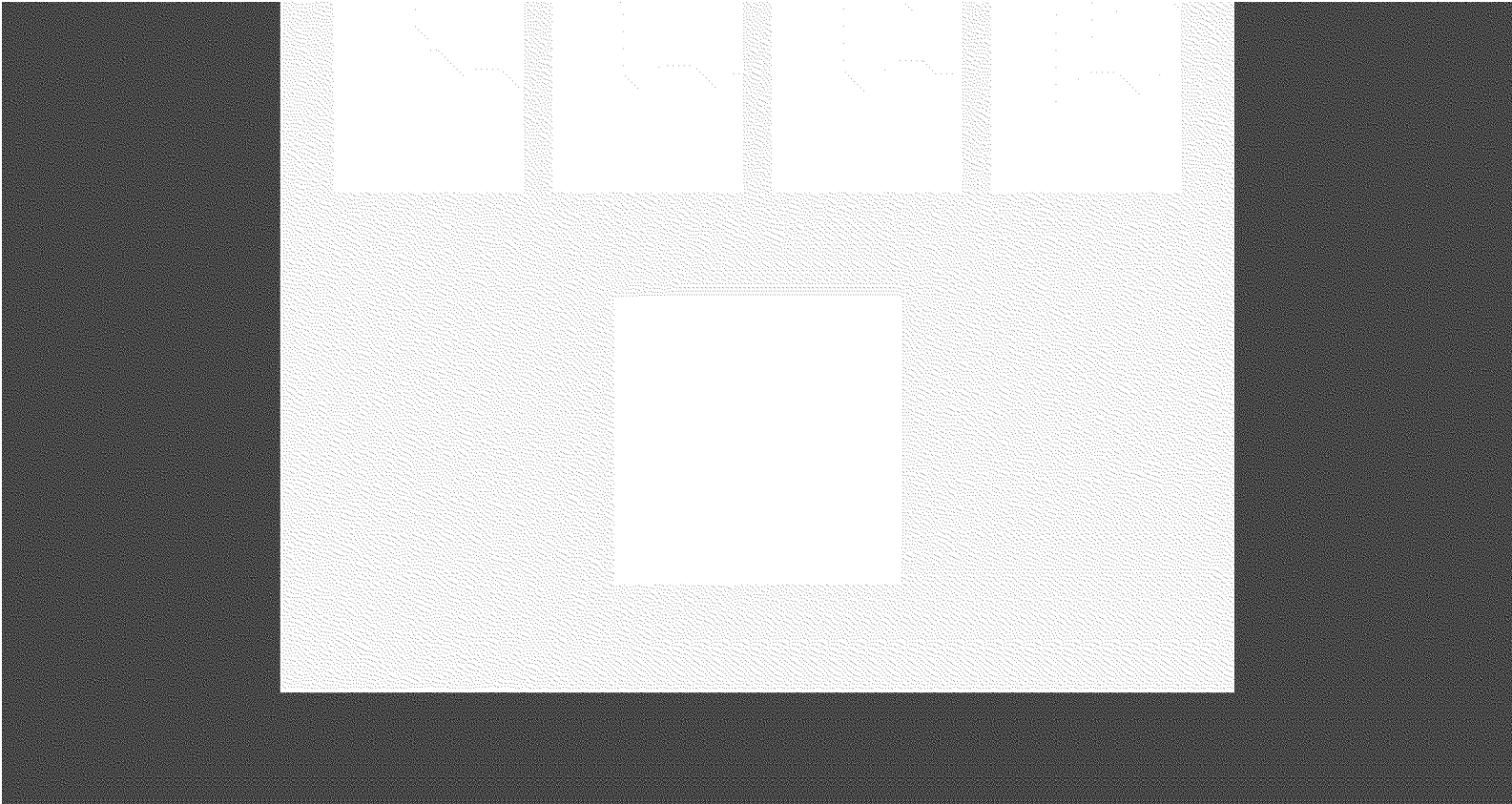
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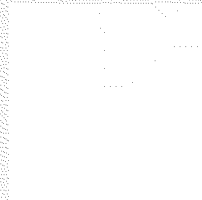
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-G

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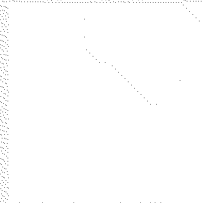
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To learn more about the acquisition or Cision Communications Cloud, please contact us at executivecommunications@cision.com or visit cision.com.

Best,

Kevin Akeroyd

CEO, Cision

Cision® Acquires PRIME Research

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www.cision.com

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To: Greg D'Andrea[Greg.DAndrea@cision.com]
From: Grantham, Nancy
Sent: Tue 12/26/2017 9:22:30 PM
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Let's discuss when we connect later this week.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Tuesday, December 26, 2017 11:34 AM
To: Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>
Subject: FW: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

This is good news as they include real time monitoring which was a feature of definers.

Thanks ng

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Sent: Tuesday, December 26, 2017 11:30 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities



Research

Hello Nancy,

I am excited to announce that ***Cision® has signed a definitive agreement to acquire PRIME Research***, a global leader in media measurement services – enhancing Cision's role as a leader of software and services for communications professionals. This acquisition furthers Cision's goal of becoming the one-stop provider for brands who want to identify their ideal influencers, craft engaging campaigns, and attribute meaningful value to those campaigns. It also bolsters the business value of the Cision Communications Cloud®, our all-in-one platform for communicators.

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Kevin Akeroyd
CEO, Cision

Cision® Acquires PRIME Research

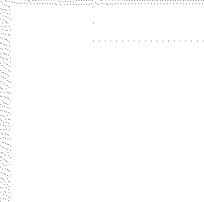
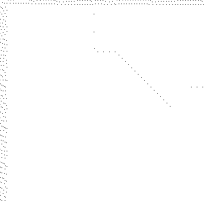
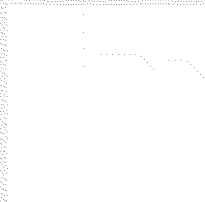
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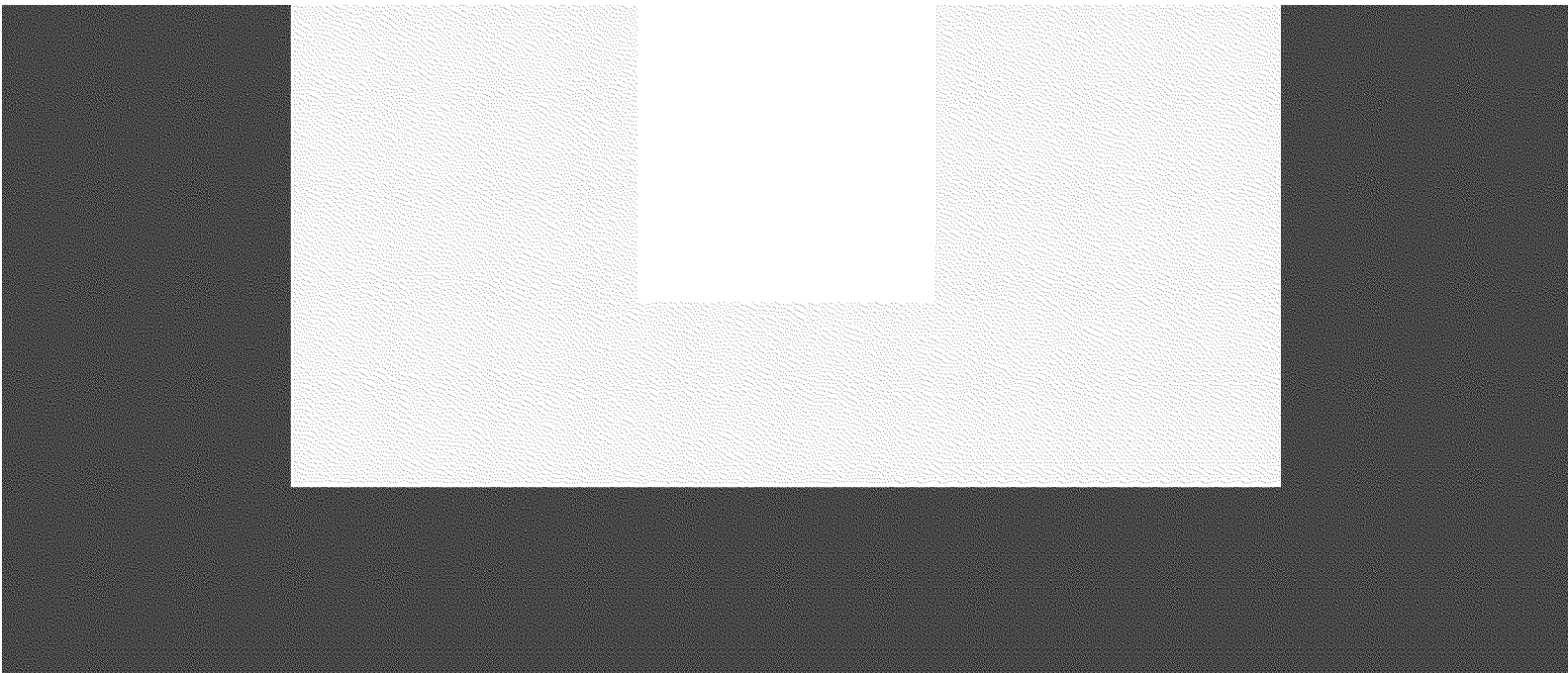
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To: Greg D'Andrea[Greg.DAndrea@cision.com]
From: Grantham, Nancy
Sent: Thur 12/28/2017 6:46:37 PM
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Would 1 or 2 work for you? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Greg D'Andrea [mailto:Greg.DAndrea@cision.com]
Sent: Thursday, December 28, 2017 1:44 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Sure what time?

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com

CISION

From: Grantham, Nancy <Grantham.Nancy@epa.gov>
Sent: Thursday, December 28, 2017 1:41:21 PM
To: Greg D'Andrea
Subject: RE: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

Would tomorrow work? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Greg D'Andrea [mailto:Greg.DAndrea@cision.com]
Sent: Thursday, December 28, 2017 1:38 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

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Let me know and Happy New Year!
-Greg

Greg D'Andrea
Account Director
p 203.506.7178
greg.dandrea@cision.com

CISION

From: Greg D'Andrea
Sent: Wednesday, December 27, 2017 3:04:50 PM
To: Grantham, Nancy
Subject: Re: Cision® acquires PRIME Research, enhancing Cision Communications Cloud® capabilities

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greg.dandrea@cision.com
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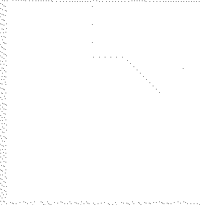
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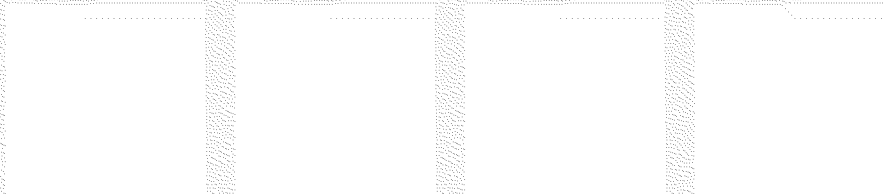
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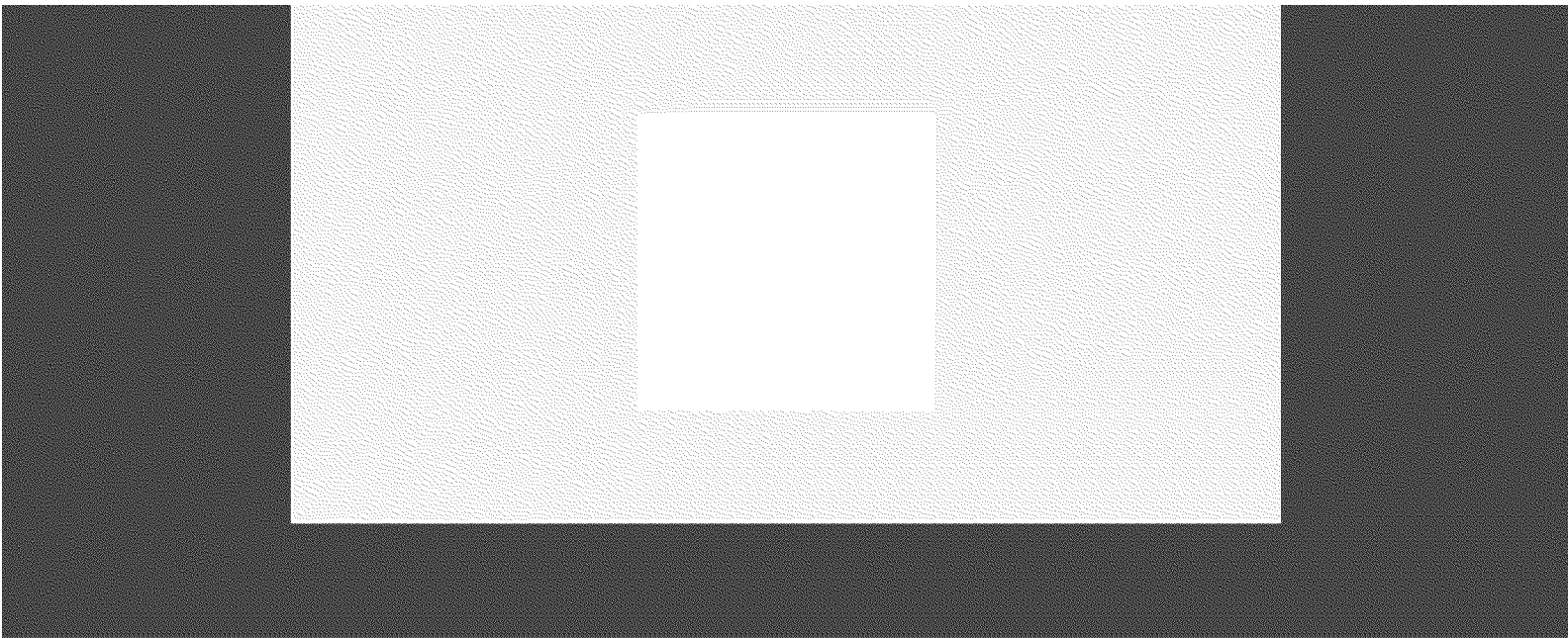
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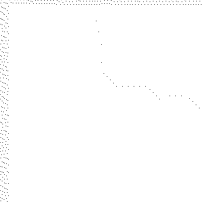
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CEO, Cision

Cision® Acquires PRIME Research

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www.cision.com

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To: Julia Cotrone[jcotrone@definercorp.com]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Mon 1/29/2018 5:10:25 PM
Subject: FW: Definers contract documents for CBI review
Definers contract documents with proposed redactions for CBI review.pdf

Hi Julia,

Please see below and attached and let me know if there is anything further that you would claim as CBI – confidential business information.

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Aarons, Kyle
Sent: Wednesday, January 24, 2018 4:18 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Knapp, Kristien <Knapp.Kristien@epa.gov>
Subject: Definers contract documents for CBI review

Hi Nancy – As part of our response to congress about the Definers contract, we are planning to send a set of documents from OAM relating to the contract. The set may contain Confidential Business Information (CBI) that Definers would not want to release (most notably, cost breakdowns). We have proposed redactions in the attached set – Would it be possible for you to get this to Definers to ask if they are claiming anything else as CBI?

We are aiming to release these on Monday.

Thanks,
Kyle

Kyle Aarons
Congressional Affairs
U.S. Environmental Protection Agency
202-564-7351

To: Moody, Christina[Moody.Christina@epa.gov]; Gomez, Laura[Gomez.Laura@epa.gov]; Knapp, Kristien[Knapp.Kristien@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Grantham, Nancy
Sent: Mon 1/29/2018 11:52:06 AM
Subject: FW: Selected Incoming FOIAs -- week of 5/8/2017
[Selected FOIA Requests. general. 05.08.2017.docx](#)

Please see answers below and a referenced attachment.

I have not provided answers where I had no knowledge of the issue.

Also, under separate cover, I will forward a response to an oversight inquiry on this topic – which Kristien Knapp is working on. That letter and its attachments can be used for this response as well.

Please let me know if you have questions.

Thanks ng

Contract with Definers Public Affairs:

OPA/OGC On the day you testified before Energy and Commerce, EPA entered into a no-bid contract with Definers Public Affairs to provide “news analysis and brief service focusing on EPA work and other topics of interest to EPA.”^[1] The awarding of this contract without full and open competition to a company with no apparent experience in providing these services to a Federal agency is concerning, as are the political lobbying activities of the firm. Though Definers recently terminated the contract with EPA, we have outstanding questions regarding EPA’s selection of Definers and whether the Contract was an appropriate use of taxpayer dollars.

1. What was your role in selecting Definers for this award? In addition to yourself, which EPA political appointees were involved in selecting Definers? Please provide all communications between yourself and all other EPA political appointees and any Definers representative between February 17, 2017 and December 7, 2017.

Deliberative Process / Ex. 5

2. Were you or other EPA political appointees aware of the FOIA requests filed by Definers employees against individual agency employees before the contract was awarded? Were those FOIA requests considered in the identification of Definers as a potential candidate for the Contract, or a factor in ultimately awarding the Contract?

Deliberative Process / Ex. 5

3. Was Definers, AmericaRising, or any of their agents involved in creating or funding the website ConfirmPruitt.com?

4. Were you, any of your agents, or any current EPA employees involved in generating or reviewing the content of the website ConfirmPruitt.com, or providing or raising funds for the site? Did any representative of Definers, America Rising, or America Rising Squared generate or review content for the website?

5. What work did Definers perform for EPA pursuant to the contract? Please provide a list of all services performed by Definers for EPA during the duration of the contract, including the date, the service provided, time required, the itemized cost, and the name of the Definers employee who performed the work. What was the total amount of taxpayer funds EPA paid Definers during the duration of the contract? Please provide copies of all communications between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network during calendar year 2017.

Deliberative Process / Ex. 5

6. On December 10, the New York Times published an article identifying an alarming decrease in enforcement actions brought by the EPA during your administration.^[2] EPA issued an unusual press release in response, which has since been removed from the agency website but continues to be cited by conservative media sources. What role did Definers play in the agency's response to the December 10th article? Provide any correspondence between EPA and any representative of Definers, America Rising, America Rising Squared, and the Need to Know Network regarding the December 10th article.

Deliberative Process / Ex. 5

7. What firewalls were in place in the contract with Definers Corp to ensure that Definers firewalled the media monitoring services provided under the Contract from its services that would violate the Publicity or Propaganda Prohibition and Anti-Lobbying provisions?

Deliberative Process / Ex. 5

8. Please provide a copy of the contract between EPA and Definers Corp. including any statement of work.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

^[1] EPA Award Number EP18H000025 to Definers Corps. (Dec. 7, 2017)

^[2] Eric Lipton and Danielle Ivory, *Under Trump, EPA has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers*, New York Times, (Dec. 10, 2017), <https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html>

To: Flynn, Mike[Flynn.Mike@epa.gov]; Richardson, RobinH[Richardson.RobinH@epa.gov]
From: Grantham, Nancy
Sent: Fri 12/15/2017 4:31:21 PM
Subject: FW: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

New York times is also calling

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: D'Andrea, Michael
Sent: Friday, December 15, 2017 10:20 AM
To: Regional Public Affairs Directors <Regional_Public_Affairs_Directors@epa.gov>
Subject: Fwd: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

<http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/#>

The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

It promises “war room” style media monitoring.

Rebecca Leber, Andy Kroll and Russ Choma Dec. 15, 2017 6:00 AM

Using taxpayer dollars, the Environmental Protection Agency has hired a cutting-edge Republican PR firm that specializes in digging up opposition research to help Administrator Scott Pruitt's office track and shape press coverage of the agency.

According to federal contracting records, earlier this month Pruitt's office inked a no-bid \$120,000 contract with Definers Corp., a Virginia-based public relations firm founded by Matt Rhoades, who managed Mitt Romney's 2012 presidential campaign. Following Romney's defeat, Rhoades established America Rising, an ostensibly independent political action committee that works closely with the Republican National Committee and Republican candidates to mine damning information on opponents. Other higher-ups at Definers include former RNC research director Joe Pounder, who's been described as “a master of opposition research,” and senior vice president Colin Reed, an oppo-research guru billed as “among the leaders of the war on [Sen. Elizabeth] Warren.”

This for-profit consulting firm offers a variety of public relations services such as digital strategy, political consulting, and media relations. According to its website, Definers' clients include Fortune 500 corporations, political groups, and nonprofits. In the past, both Marco Rubio and John McCain used their services, and since the 2016 election so has Rep. Diane Black (R-Tenn.). The client list for America Rising includes the RNC, Republican candidates, such as Sen. Pat Toomey (R-Penn.), and super-PACs such as the Mitch McConnell-linked Senate Leadership Fund and Karl Rove's American Crossroads.

The company also specializes in using the press and social media to “validate your narrative.” According to the company's website, one of the tools to help do this is its “Definers Console” media-tracking technology. Reed said his firm contracted with Pruitt's office at the EPA, which is the first governmental client to pay for the Definers Console. The technology promises “war room” style media monitoring, analysis and advice, according to marketing materials. A brochure for the Console assures users that they will be able to “monitor

for potential crises, as well as to track their message dissemination, relevant responses to their messaging, and what competitors' actions have been."

Besides monitoring media, users will get analysis and input from their employees whose experience in political campaigns and the business world helps create a unique approach "to intelligence gathering and opposition work. This experience informs the way we gather, synthesize, and disseminate information."

"Definers has been contracted to provide media monitoring services through our Console by the EPA," Reed says. "We provide the same service to a number of corporate and non-profit organizations."

In response to *Mother Jones*' questions about the Definers contract, EPA spokesperson Nancy Grantham said, "The Definers contract is for media monitoring/newsclip compilation." To a question on how the contract came about, she said: "The contract award was handled through the EPA Office of Acquisition Management."

USASpending.gov, a website that tracks federal spending, shows that in early 2016 the EPA signed a \$207,000 [contract](#) with a firm called Bulletin Intelligence, requesting similar services. Bulletin is owned by public relations giant Cision, a well-known international PR firm. According to OpenSecrets.org's expenditure data, Bulletin is not political and has not done any recent work for any candidates or PACs. The contract expired in February.

Definers also recently launched a new venture with the global law firm Dentons, which describes itself as combining "political intelligence, legal advisors, campaign-style tactics, lobbying, governmental affairs, research, and communications into one unique offering" to help clients.

The career of at least one of Pruitt's staffers has overlapped with the Republican operatives at Definers. Jahan Wilcox, who previously worked for Marco Rubio's presidential campaign and in rapid response for the Republican National Committee, is now a spokesperson for the EPA.

Wilcox, along with other political staff in Pruitt's EPA press shop, has had some contentious interactions with the press. In one case, when Eric Lipton from *The New York Times* was confirming facts for an investigation into the EPA's industry-friendly approach to chemical regulation, EPA spokesperson Liz Bowman diverted the discussion to other outlets' reporting rather than confirming his questions. Wilcox [added](#), "If you want to steal work from other outlets and pretend like it's your own reporting that is your decision."

On another occasion, shortly after the *Associated Press* [reported](#) on the Superfund sites affected by Hurricane Harvey, the EPA [went after](#) one of the bylined reporters in a statement, and an unnamed official later [admitted](#) to removing one of the bylined *AP* reporters from the agency's press list, saying, "We don't think he's a trustworthy reporter." When Pruitt has faced criticism, the EPA [highlights](#) friendlier stories from conservative outlets—including *Breitbart*.

Pruitt has come under fire for a general lack of transparency at the EPA. The latest example is his trip promoting natural gas in Morocco. The public [learned](#) of his travels when his office posted a media release, causing confusion over why the EPA would not notify reporters ahead of time. This means that information on Pruitt's activities in Morocco will be restricted to the EPA's own spin.

The EPA's work with groups affiliated with Pounder predate this contract. On a handful of occasions, the EPA has promoted positive coverage of Pruitt's actions from the news-aggregation website Need To Know Network. Earlier this year, the [website](#) wrote a series of stories designed shed positive light on the controversial administrator. In one story, the site describes Pruitt as "busy racking up accomplishments that both protect Americans and save millions in taxpayer dollars." Another congratulated Pruitt for [moving ahead](#) with plans to open Alaska's Bristol Bay to mining, [writing](#) it was "a move that will prove to be a massive job creator for President Trump and Pruitt."

The Need to Know Network was [started by](#) Pounder and other operatives connected to America Rising and Definers Corp.

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Sent: Fri 12/15/2017 4:11:01 PM
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Also . . new york times is calling

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The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

It promises “war room” style media monitoring.

Rebecca Leber, [Andy Kroll](#) and [Russ Choma](#) Dec. 15, 2017 6:00 AM

Using taxpayer dollars, the Environmental Protection Agency has hired a cutting-edge Republican PR firm that specializes in digging up opposition research to help Administrator Scott Pruitt’s office track and shape press coverage of the agency.

According to federal contracting records, earlier this month Pruitt’s office inked a no-bid \$120,000 contract with Definers Corp., a Virginia-based public relations firm founded by Matt Rhoades, who managed Mitt Romney’s 2012 presidential campaign. Following Romney’s defeat, Rhoades established America Rising, an ostensibly independent political action committee that works closely with the Republican National Committee and Republican candidates to mine damning information on opponents. Other higher-ups at Definers include former RNC research director Joe Pounder, who’s [been described](#) as “a master of opposition research,” and senior vice president Colin Reed, an oppo-research guru [billed](#) as “among the leaders of the war on [Sen. Elizabeth] Warren.”

This for-profit consulting firm offers a variety of public relations services such as digital strategy, political consulting, and media relations. According to its website, Definers’ clients include Fortune 500 corporations, political groups, and nonprofits. In the past, [both Marco Rubio and John McCain](#) used their services, and since the 2016 election so has [Rep. Diane Black](#) (R-Tenn.). The [client list](#) for America Rising includes the RNC, Republican candidates, such as Sen. Pat Toomey (R-Penn.), and super-PACs such as the Mitch McConnell-linked Senate Leadership Fund and Karl Rove’s American Crossroads.

The company also [specializes](#) in using the press and social media to “validate your narrative.” According to the company’s website, one of the tools to help do this is its “[Definers Console](#)” media-tracking technology. Reed said his firm contracted with Pruitt’s office at the EPA, which is the first governmental client to pay for the Definers Console. The technology promises “war room” style media monitoring, analysis and advice, according to marketing materials. A brochure for the Console assures users that they will be able to “monitor

for potential crises, as well as to track their message dissemination, relevant responses to their messaging, and what competitors' actions have been."

Besides monitoring media, users will get analysis and input from their employees whose experience in political campaigns and the business world helps create a unique approach "to intelligence gathering and opposition work. This experience informs the way we gather, synthesize, and disseminate information."

"Definers has been contracted to provide media monitoring services through our Console by the EPA," Reed says. "We provide the same service to a number of corporate and non-profit organizations."

In response to *Mother Jones*' questions about the Definers contract, EPA spokesperson Nancy Grantham said, "The Definers contract is for media monitoring/newsclip compilation." To a question on how the contract came about, she said: "The contract award was handled through the EPA Office of Acquisition Management."

USASpending.gov, a website that tracks federal spending, shows that in early 2016 the EPA signed a \$207,000 [contract](#) with a firm called Bulletin Intelligence, requesting similar services. Bulletin is owned by public relations giant Cision, a well-known international PR firm. According to OpenSecrets.org's expenditure data, Bulletin is not political and has not done any recent work for any candidates or PACs. The contract expired in February.

Definers also recently launched a new venture with the global law firm Dentons, which describes itself as combining "political intelligence, legal advisors, campaign-style tactics, lobbying, governmental affairs, research, and communications into one unique offering" to help clients.

The career of at least one of Pruitt's staffers has overlapped with the Republican operatives at Definers. Jahan Wilcox, who previously worked for Marco Rubio's presidential campaign and in rapid response for the Republican National Committee, is now a spokesperson for the EPA.

Wilcox, along with other political staff in Pruitt's EPA press shop, has had some contentious interactions with the press. In one case, when Eric Lipton from *The New York Times* was confirming facts for an investigation into the EPA's industry-friendly approach to chemical regulation, EPA spokesperson Liz Bowman diverted the discussion to other outlets' reporting rather than confirming his questions. Wilcox [added](#), "If you want to steal work from other outlets and pretend like it's your own reporting that is your decision."

On another occasion, shortly after the *Associated Press* [reported](#) on the Superfund sites affected by Hurricane Harvey, the EPA [went after](#) one of the bylined reporters in a statement, and an unnamed official later [admitted](#) to removing one of the bylined *AP* reporters from the agency's press list, saying, "We don't think he's a trustworthy reporter." When Pruitt has faced criticism, the EPA [highlights](#) friendlier stories from conservative outlets—including *Breitbart*.

Pruitt has come under fire for a general lack of transparency at the EPA. The latest example is his trip promoting natural gas in Morocco. The public [learned](#) of his travels when his office posted a media release, causing confusion over why the EPA would not notify reporters ahead of time. This means that information on Pruitt's activities in Morocco will be restricted to the EPA's own spin.

The EPA's work with groups affiliated with Pounder predate this contract. On a handful of occasions, the EPA has promoted positive coverage of Pruitt's actions from the news-aggregation website Need To Know Network. Earlier this year, the [website](#) wrote a series of stories designed shed positive light on the controversial administrator. In one story, the site describes Pruitt as "busy racking up accomplishments that both protect Americans and save millions in taxpayer dollars." Another congratulated Pruitt for [moving ahead](#) with plans to open Alaska's Bristol Bay to mining, [writing](#) it was "a move that will prove to be a massive job creator for President Trump and Pruitt."

The Need to Know Network was [started by](#) Pounder and other operatives connected to America Rising and Definers Corp.

To: Hull, George[Hull.George@epa.gov]
From: Julia Cotrone
Sent: Fri 9/22/2017 7:13:21 PM
Subject: Re: Checking in

Hi George,

Good luck in your new position and thank you for Nancy's contact.
Thanks!

On Fri, Sep 22, 2017 at 3:01 PM, Hull, George <Hull.George@epa.gov> wrote:

Julia,

I'm changed positions in EPA. Nancy Grantham in the Office of Public Affairs is your new contact for this. She can be reached at [202-564-6879](tel:202-564-6879). - George

From: Julia Cotrone [mailto:jcotrone@definercorp.com]
Sent: Tuesday, September 19, 2017 8:20 PM
To: Hull, George <Hull.George@epa.gov>
Subject: Checking in

Hi George,

Hope you are well! I just got notified that our registration is now activated for Definers in the SAM system. I just wanted to check in and see if you needed anything else from us? Ive been out most of September so I apologize for not checking in sooner!

Thanks!

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Julia Cotrone
O: [571.290.5461](tel:571.290.5461) | C:

Personal Phone / Ex. 6

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O: [571.290.5461](tel:571.290.5461) | C:

Personal Phone / Ex. 6

To: Hull, George[Hull.George@epa.gov]
From: Julia Cotrone
Sent: Wed 9/20/2017 12:19:36 AM
Subject: Checking in

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O: 571.290.5461 | C



To: Valentine, Julia[Valentine.Julia@epa.gov]
Cc: wschenkel@definercorp.com[wschenkel@definercorp.com]; Hull, George[Hull.George@epa.gov]
From: Joe Pounder
Sent: Wed 8/9/2017 9:13:02 PM
Subject: Re: Definers

No worries. I actually got tied up but can do 11:30am tomorrow if that works?

On Wed, Aug 9, 2017 at 3:00 PM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Joe, my apologies, I got pulled into something else – please let me know when is the next time I can try you today, or in the morning. Thank you!

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Personal Phone / Ex. 6

From: Joe Pounder [mailto:jpounder@definercorp.com]
Sent: Wednesday, August 09, 2017 1:44 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: wschenkel@definercorp.com; Hull, George <Hull.George@epa.gov>
Subject: Re: Definers

Great. My cell actually might be better. Personal Phone / Ex. 6

On Aug 9, 2017, at 1:42 PM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi Joe, thanks so much. Let me see if I can get contracts on the phone and then conference you in. the call will be form 202.564.2663.

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Subject: Re: Definers

Hey Julia,

No problem at all. Unfortunately, our CFO is out this week but I'm available to answer any questions if they would like to email or give me a buzz at 571-290-5460. I'm available generally this afternoon until about 3pm and tomorrow morning as well if it would be better to set a time. Let me know. Thanks again.

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From: Joe Pounder [mailto:jpounder@definercorp.com]
Sent: Monday, July 03, 2017 4:32 AM
To: Hull, George <Hull.George@epa.gov>
Subject:

George,

Sorry, I just got your message as I've been traveling overseas on business and won't be back until 7/6. We can give a demo but have to customize a Dashboard so we could probably schedule something for late next week? Hope all is well and again sorry for the delay.

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Subject: RE: Definers

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Sent: Wed 8/9/2017 5:44:03 PM
Subject: Re: Definers

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Cc: wschenkel@definercorp.com[wschenkel@definercorp.com]; Hull, George[Hull.George@epa.gov]
From: Joe Pounder
Sent: Wed 8/9/2017 4:49:06 PM
Subject: Re: Definers

Hey Julia,
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To: jpounder@definerscorp.com[jpounder@definerscorp.com]; wschenkel@definerscorp.com[wschenkel@definerscorp.com]
Cc: Hull, George[Hull.George@epa.gov]
From: Valentine, Julia
Sent: Wed 8/9/2017 3:46:19 PM
Subject: RE: Definers

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To: Julia Cotrone[jcotrone@definerscorp.com]
From: Hull, George
Sent: Fri 9/22/2017 7:01:26 PM
Subject: RE: Checking in

Julia,
I'm changed positions in EPA. Nancy Grantham in the Office of Public Affairs is your new contact for this. She can be reached at 202-564-6879. - George

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Julia Cotrone

O: 571.290.5461 | C: Personal Phone / Ex. 6

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Mon 2/12/2018 9:21:15 PM
Subject: RE: Questions about EPA morale

Any chance I could talk to Scott Pruitt? I need him to explain his philosophy, why he is doing what he is doing, ie: how the EPA had been weaponized in the past to choose winners and losers; how superfund sites have languished because of a lack of decision making; that climate change cannot be regulated because it was not part of the original mission; why it is important for him to streamline the agency. Even a statement from him or a series of quotes I could use along these lines would be helpful if he's not available.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 10:00 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

The answers with my names next to them are on the record. The tea leaves is not but let me see if I can get that approved. Does that work?

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 12:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Are your comments below off the record or can I quote you on any of them? You have them in quotes with your name attached. I would like to quote a couple of those answers. Also, I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief Financial Officer. Can you confirm this for me?

I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 6:26 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Questions about EPA morale

Peter –

Off-the-record, in regards to budget proposals would just remind you that this morning the Senate passed a two-year budget that will fund the government. Rather than leaving the tea leaves of proposals, believe your readers would like to know the action that Congress has taken, which includes passing a budget that again funds the entire government for the next two years.

- **Today, Friday, February 9, 2018, Congress Passed A Budget That Will Fund The Government For The Next Two Years.** “After a temporary lapse in government funding that lasted through the night, Congress passed a pricey two-year spending deal early Friday that will also fund the government for an additional six weeks. The government temporarily closed after Congress failed to pass a government funding bill before a midnight deadline due to the objections of one senator, shutting down non-essential government services. In the end, a bipartisan cohort of lawmakers supported the \$400 billion agreement. Shortly after 1:30 a.m. ET, the Senate voted, 71-28, to approve a two-year spending bill that would reopen the government, and the House passed it at 5:30 a.m. with the support of 240 members. Trump tweeted Wednesday morning that he had signed the bill, officially ending the brief shutdown.” ([NBC News](#), 02/09/18)

Additionally, **below are some on-the-record responses** to your questions. Some of these answers took a while to find and we hope that you will be able to use as much as possible.

Jahan

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]

Sent: Wednesday, February 7, 2018 3:54 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

The folks I've talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

- **"From Administrator Pruitt's focus on cleaning up toxic Superfund sites, his leadership during the government shutdown that kept the agency open and paid every employee, to EPA's Region 9 where just 11 employees took an early retirement and nearly a quarter of the employees are working despite being eligible to retire, morale is great at EPA."** – EPA spokesman, Jahan Wilcox

Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words "climate change" were scrubbed from contracts and grants, a form of censorship.

- **"Administrator Pruitt has placed a renewed focused on cleaning up toxic Superfund sites. We are reviewing every grant and 99.84 percent of all grants have been awarded."** – EPA spokesman, Jahan Wilcox

Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.

- **"Administrator Pruitt is proud to streamline regulations, which is creating regulatory certainty."** – EPA spokesman, Jahan Wilcox

Many have told me off the record that they are scared to say anything and generally speak with each other in winks and whispers or out of the office because they fear being exposed by the consulting firm Definers Public Affairs, which they say has spent the past year investigating agency employees critical of the Trump administration and Pruitt. Is this true?

- **"No this is not accurate. Like any government agency, all EPA employees are subjected to the Freedom of Information Act (FOIA) and in terms of the FOIAs nearly all are aimed at political, not career employees."** – EPA spokesman, Jahan Wilcox

Many are also critical of the fact that the two people considered for the administrator job both worked in the oil, gas or mining industry. Can you confirm that Ryan Flynn and Chris Paul were considered for the position. How is the search for a new administrator going and what are you looking for in the leader?

- **"We don't discuss who have been or not been interviewed for the Region 9 Administrator or any other position. The Administration is carefully considering many highly qualified candidates for Region 9 and will announce another great regional administrator soon."** – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Wednesday, February 07, 2018 12:26 PM

To: Fimrite, Peter <PFimrite@sfchronicle.com>

Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

Jahan Wilcox

EPA

Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan

Sent: Wednesday, February 7, 2018 3:20 PM

To: Fimrite, Peter <PFimrite@sfchronicle.com>; Press <Press@epa.gov>

Subject: RE: Questions about EPA morale

Will handle.

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]

Sent: Wednesday, February 7, 2018 2:36 PM

To: Press <Press@epa.gov>

Subject: Questions about EPA morale

I'm working on a story about all the changes occurring at the EPA and the effect it has had on employees in the various regions, particularly region 9. I was hoping for a comment from the administration or a spokesman. Please call me at 415-777-8454.

Peter Fimrite

Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Mon 2/12/2018 9:31:28 PM
Subject: RE: Questions about EPA morale

I listened to the New York times interviews. I was hoping to get fresh quotes from him that I don't need to steal from the New York Times.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, February 12, 2018 1:30 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Here is another interview you can pull from.

- <http://news3lv.com/news/local/epa-chief-scott-pruitt-goes-one-on-one-with-news-3>

From: Wilcox, Jahan
Sent: Monday, February 12, 2018 4:27 PM
To: 'Fimrite, Peter' <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

In terms of these additional questions, we have addressed them in interviews with The New York Times and CBS News and you can pull your answers from them.

- <https://www.nytimes.com/2018/02/02/podcasts/the-daily/scott-pruitt-epa.html>
- <https://www.cbsnews.com/video/scott-pruitt-talks-with-major-garrett-full-interview/>

There was a lot of work from various people to get you the answers to your questions. We look forward to reading your story!

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Monday, February 12, 2018 4:21 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Any chance I could talk to Scott Pruitt? I need him to explain his philosophy, why he is doing what he is doing, ie: how the EPA had been weaponized in the past to choose winners and losers; how superfund sites have languished because of a lack of decision making; that climate change cannot be regulated because it was not part of the original mission; why it is important for him to streamline the agency. Even a statement from him or a series of quotes I could use along these lines would be helpful if he's not available.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 10:00 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

The answers with my names next to them are on the record. The tea leaves is not but let me see if I can get that approved. Does that work?

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 12:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Questions about EPA morale

Are your comments below off the record or can I quote you on any of them? You have them in quotes with your name attached. I would like to quote a couple of those answers. Also, I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief Financial Officer. Can you confirm this for me?

I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

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Sent: Friday, February 09, 2018 6:26 AM

To: Fimrite, Peter <PFimrite@sfchronicle.com>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Questions about EPA morale

Peter –

Off-the-record, in regards to budget proposals would just remind you that this morning the Senate passed a two-year budget that will fund the government. Rather than leaving the tea leaves of proposals, believe your readers would like to know the action that Congress has taken, which includes passing a budget that again funds the entire government for the next two years.

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Additionally, **below are some on-the-record responses** to your questions. Some of these answers took a while to find and we hope that you will be able to use as much as possible.

Jahan

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]

Sent: Wednesday, February 7, 2018 3:54 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

The folks I've talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

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Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with

some now on the back burner, and that the words “climate change” were scrubbed from contracts and grants, a form of censorship.

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Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.

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Many have told me off the record that they are scared to say anything and generally speak with each other in winks and whispers or out of the office because they fear being exposed by the consulting firm Definers Public Affairs, which they say has spent the past year investigating agency employees critical of the Trump administration and Pruitt. Is this true?

- **“No this is not accurate. Like any government agency, all EPA employees are subjected to the Freedom of Information Act (FOIA) and in terms of the FOIAs nearly all are aimed at political, not career employees.”** – EPA spokesman, Jahan Wilcox

Many are also critical of the fact that the two people considered for the administrator job both worked in the oil, gas or mining industry. Can you confirm that Ryan Flynn and Chris Paul were considered for the position. How is the search for a new administrator going and what are you looking for in the leader?

- **“We don’t discuss who have been or not been interviewed for the Region 9 Administrator or any other position. The Administration is carefully considering many highly qualified candidates for Region 9 and will announce another great regional administrator soon.”** – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]
Sent: Wednesday, February 07, 2018 12:26 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan
Sent: Wednesday, February 7, 2018 3:20 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>; Press <Press@epa.gov>
Subject: RE: Questions about EPA morale

Will handle.

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]
Sent: Wednesday, February 7, 2018 2:36 PM

To: Press <Press@epa.gov>

Subject: Questions about EPA morale

I'm working on a story about all the changes occurring at the EPA and the effect it has had on employees in the various regions, particularly region 9. I was hoping for a comment from the administration or a spokesman. Please call me at 415-777-8454.

Peter Fimrite

Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfgchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Josh Siegel
Sent: Fri 12/15/2017 7:58:05 PM
Subject: Re: Can you update your story - this was not no bid.

John wrote this. I will let him know.

On Fri, Dec 15, 2017 at 2:57 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Confirming you received this.

From: Wilcox, Jahan
Sent: Friday, December 15, 2017 2:29 PM
To: 'Josh Siegel' <jsiegel@washingtonexaminer.com>
Cc: 'John Siciliano' <jsiciliano@washingtonexaminer.com>
Subject: Can you update your story - this was not no bid.

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Friedman, Lisa
Sent: Fri 12/15/2017 9:34:23 PM
Subject: Re: apologies for all the back and forth

ok. the contract says \$120K - that's not accurate?

On Fri, Dec 15, 2017 at 4:32 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services.

This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient.

If you have questions regarding how Definers operates, we encourage you to contact them.

> On Dec 15, 2017, at 3:09 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:
>
> But a few more things were just brought to my attention that require a few more questions.
>
> America Rising, which as you know shares top leadership with Definers Corp., has filed more than 200 FOIAs with EPA since 2015. Most recently they have requested information, including emails and other data, about a number of EPA employees - including many who have spoken out publicly against the agency like Betsy Southerland, Michael Cox and John O'Grady.
>
> Can you please offer me a comment on whether EPA believes it is appropriate to hire a firm that shares ownership with an organization that has investigated its employees?
>
> Thank you
> Lisa
>
> --
> Lisa Friedman
> Reporter, New York Times
> (202) 862-0306 office
> Personal Phone / Ex. 6
>

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office
(202) 251-2083 cell

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Friedman, Lisa
Sent: Fri 12/15/2017 10:05:36 PM
Subject: Re: apologies for all the back and forth

got it ty

On Fri, Dec 15, 2017 at 4:54 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

That is correct - 120 annually or 10 a month. The old vendor was 207 annually. A savings of 87,000.

On Dec 15, 2017, at 4:36 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:

ok. the contract says \$120K - that's not accurate?

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> Can you please offer me a comment on whether EPA believes it is appropriate to hire a firm that shares ownership with an organization that has investigated its employees?

>

> Thank you

> Lisa

>

> ---

> Lisa Friedman

> Reporter, New York Times

> (202) 862-0306 office

> Personal Phone / Ex. 6

>

--

Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Personal Phone / Ex. 6

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office
Personal Phone / Ex. 6

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Kathryn Watson
Sent: Sat 12/16/2017 5:53:41 PM
Subject: Re: Reaching out re NYT story + decision to hire Definers

Thanks so much, Jahan.

On Sat, Dec 16, 2017 at 12:49 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services.

This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient.

If you have questions regarding how Definers operates, we encourage you to contact them.

Sent from my iPhone

On Dec 16, 2017, at 12:47 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“The Definers contract is for news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

Sent from my iPhone

On Dec 16, 2017, at 12:46 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Sent from my iPhone

On Dec 16, 2017, at 11:47 AM, Kathryn Watson <kathryn.watson@cbsinteractive.com> wrote:

Good morning,

I wanted to reach out after the [NYT story published last night](#) described the EPA's decision to hire Definers to handle media work.

Specifically, I wanted to confirm the details of the contract — \$120,000 to handle media, which apparently was cheaper than the last deal?

But I also wanted to know if anyone at the EPA in any way directed Definers to look into EPA employees who might contradict the president's agenda?

Thank you, and my cell is Personal Phone / Ex. 6

--

Kathryn (Katie) Watson
Politics Reporter, CBS Digital

Personal Phone / Ex. 6

Twitter: [@kathrynw5](https://twitter.com/kathrynw5)

--

Kathryn (Katie) Watson
Politics Reporter, CBS Digital

Personal Phone / Ex. 6

Twitter: [@kathrynw5](https://twitter.com/kathrynw5)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Friedman, Lisa
Sent: Tue 12/19/2017 3:41:36 PM
Subject: contract info

Hi Jahan.
Here's a copy of the contract for Definers Public Affairs

<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>

As you'll see under competition details, it says the contract was not competed, and the reason it gives is "only one source - other."

Under 'numbers of offers received' it says: 1

By contrast, for example, here is the contract with Bulletin. It says under competition details that it was "competed under SAP." (simplified acquisition procedures)

<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=3B728BF9-DC6E-45F1-BF65-BA5E42ACFE4C&AwardID=49688963&AwardType=C>

So - it appears clear here that the contract with Definers was a no-bid contract. If that's not in fact the case, then I'd like to request some explanation as to why it clearly says so on the contract itself.

And if indeed, as the contract states, it was a sole-source notification, then please provide an explanation as to why.

Thanks,
Lisa

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Personal Phone / Ex. 6

To: jpounder@definercorp.com[jpounder@definercorp.com]
From: Wilcox, Jahan
Sent: Thur 9/28/2017 7:29:40 PM
Subject: FW: Definers -- Clips

From: Grantham, Nancy
Sent: Thursday, September 28, 2017 3:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Definers -- Clips

HI –

Working with contracts on this – here is the remaining issue that the contracting officer brought to me yesterday --

Specifically, the vendor is not registered in the System for Award Management (SAM). In order for any vendor to receive a contract from the federal government, they must be registered in this system. The vendor seems to be reluctant to register.

George had been working with the vendor on this. I have a call into the vendor as they may need assistance in completing the forms.

Will update you as soon as I hear from the vendor.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Wilcox, Jahan
Sent: Thursday, September 28, 2017 3:02 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Definers -- Clips
Importance: High

Where are we on this and when can we get this going? Today is a day where we could really use their help capturing clips in real time. This is very important and our wait and the process to do this has been way too long. Thank you!

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Biesecker, Michael[MBiesecker@ap.org]; Pace, Julie[JPace@ap.org]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 10:10:09 PM
Subject: RE: Julie and Michael -

Adding Julie Pace, again. We have answered your questions with the following on-the-record statements.

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA’s Protective Service Detail.” – EPA spokesman, Jahan Wilcox

“Please ask your source, who apparently has access to the database of EPA’s expenditures.” – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 5:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Also confirming that you decline to comment on the specific questions in yellow below ...

From: Biesecker, Michael
Sent: Monday, December 18, 2017 1:27 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Jahan,

Again, we are willing to include the details of the similar spending under Lisa Jackson, but we don’t have immediate access to EPA’s records. Please provide the details of the spending to which you refer. Otherwise, we will be left to say we couldn’t immediately verify the charge you claim. Could you at least provide the date, amount and contractor so we can try to check it out?

Also, just to clarify, is it you on-the-record contention that Pruitt in no way requested the bug sweep, but that this was an independent decision made solely by the EPA Protective Service Detail? Can you say concretely whether the administrator was even aware of the decision?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 1:05 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Julie and Michael -

Jahan,

Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt's physical security?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

Also, we have not seen and, depending on the amount, don't have access to what was spent on a bug sweep under Lisa Jackson, but I'm interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

"Please ask your source, who apparently has access to the database of EPA's expenditures." – EPA spokesman, Jahan Wilcox

Thanks,

Michael

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]

Sent: Monday, December 18, 2017 12:29 PM

To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [<mailto:MBiesecker@ap.org>]

Sent: Monday, December 18, 2017 11:47 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in counter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

"Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail." – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

"Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from

journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them." – EPA spokesman, Jahan Wilcox

Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

Personal Phone / Ex. 6

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www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." -- Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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To: Fimrite, Peter[PFimrite@sfchronicle.com]
From: Wilcox, Jahan
Sent: Thur 2/8/2018 8:44:50 PM
Subject: RE: Questions about EPA morale

Still working on this.

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Wednesday, February 7, 2018 3:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

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- 3- Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.
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From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, February 07, 2018 12:26 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan
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Subject: RE: Questions about EPA morale

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Peter Fimrite

Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Fimrite, Peter[PFimrite@sfchronicle.com]
From: Wilcox, Jahan
Sent: Thur 2/8/2018 10:01:17 PM
Subject: RE: Questions about EPA morale

I will have something for you in the morning. Answers are going through for approval.

From: Wilcox, Jahan
Sent: Thursday, February 8, 2018 3:45 PM
To: 'Fimrite, Peter' <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Still working on this.

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]
Sent: Wednesday, February 7, 2018 3:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

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Staff Writer

San Francisco Chronicle

Work: 415-777-8454

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Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Friedman, Lisa
Sent: Tue 12/19/2017 5:28:37 PM
Subject: well, then on a different subject...

Got a comment about Definers dropping out of the contract?

--

Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Personal Phone / Ex. 6

To: Fimrite, Peter[PFimrite@sfchronicle.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 2:25:54 PM
Subject: RE: Questions about EPA morale

Peter –

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- **“We don’t discuss who have been or not been interviewed for the Region 9 Administrator or any other position. The Administration is carefully considering many highly qualified candidates for Region 9 and will announce another great regional administrator soon.”** – EPA spokesman, Jahan Wilcox

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Sent: Wednesday, February 07, 2018 12:26 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

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Work Email: wilcox.jahan@epa.gov

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Subject: RE: Questions about EPA morale

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Staff Writer
San Francisco Chronicle
Work: 415-777-8454

Personal Phone / Ex. 6
Email: pfimrite@sfchronicle.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Friedman, Lisa
Sent: Tue 12/19/2017 5:43:50 PM
Subject: Re: well, then on a different subject...

Thanks so much. Is Washington Post accurate that EPA cancelled it? Joe's statement sort of indicates it was a mutual decision.

On Tue, Dec 19, 2017 at 12:41 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“How we consume the news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Friedman, Lisa [mailto:lisa.friedman@nytimes.com]
Sent: Tuesday, December 19, 2017 12:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: well, then on a different subject...

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Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

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To: Fimrite, Peter[PFimrite@sfchronicle.com]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 6:00:13 PM
Subject: RE: Questions about EPA morale

The answers with my names next to them are on the record. The tea leaves is not but let me see if I can get that approved. Does that work?

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 12:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Are your comments below off the record or can I quote you on any of them? You have them in quotes with your name attached. I would like to quote a couple of those answers. Also, I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief Financial Officer. Can you confirm this for me?

I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 6:26 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Questions about EPA morale

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From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]

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To: Fimrite, Peter <PFimrite@sfchronicle.com>

Subject: RE: Questions about EPA morale

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EPA

Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

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Subject: RE: Questions about EPA morale

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Peter Fimrite

Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Dennis, Brady
Sent: Tue 12/19/2017 6:04:27 PM
Subject: RE: Hey

Thanks. Who was the additional vendor?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 19, 2017 1:02 PM
To: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: Hey

Your story says it was a no-bid contract. That is not accurate and we have this on-the-record statement regarding that “no-bid” language:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Jahan Wilcox
EPA
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Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

To: Fimrite, Peter[PFimrite@sfchronicle.com]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 6:14:56 PM
Subject: RE: Questions about EPA morale

I will call you but below is an on-the-record statement regarding 10 percent cut question:

I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief

"Decisions on office reductions, if needed, will be made based on the final FY2018 budget." – EPA spokesman, Jahan Wilcox

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Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Dennis, Brady
Sent: Tue 12/19/2017 6:10:42 PM
Subject: RE: Hey
[definers.jpg](#)

Sorry, just want to clarify. Attaching a screenshot from the online contract. It says that it was “not competed,” which seems to suggest no-bid. But you’re just saying that’s not the case?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 19, 2017 1:02 PM
To: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: Hey

Your story says it was a no-bid contract. That is not accurate and we have this on-the-record statement regarding that “no-bid” language:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

To: Fimrite, Peter[PFimrite@sfchronicle.com]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 7:15:15 PM
Subject: RE: Questions about EPA morale

Peter –

Can I update this answer regarding the 10 percent cut.

Q: I’m hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA’s Office of the Chief

On-The-Record Response: **“No, this is not accurate.”** – EPA spokesman, Jahan Wilcox

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To: 'Fimrite, Peter' <PFimrite@sfchronicle.com>
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I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]
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Cc: Bowman, Liz <Bowman.Liz@epa.gov>
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Years. “After a temporary lapse in government funding that lasted through the night, Congress passed a pricey two-year spending deal early Friday that will also fund the government for an additional six weeks. The government temporarily closed after Congress failed to pass a government funding bill before a midnight deadline due to the objections of one senator, shutting down non-essential government services. In the end, a bipartisan cohort of lawmakers supported the \$400 billion agreement. Shortly after 1:30 a.m. ET, the Senate voted, 71-28, to approve a two-year spending bill that would reopen the government, and the House passed it at 5:30 a.m. with the support of 240 members. Trump tweeted Wednesday morning that he had signed the bill, officially ending the brief shutdown.” ([NBC News](#), 02/09/18)

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Jahan

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Sent: Wednesday, February 7, 2018 3:54 PM

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To: Fimrite, Peter[PFimrite@sfchronicle.com]
From: Wilcox, Jahan
Sent: Fri 2/9/2018 10:26:05 PM
Subject: RE: Questions about EPA morale

Off-the-record, I do not do grants and the individual that does that has left for the day. I can get you an answer on Monday or you can just put decline to comment. I feel like I've done the best to answer as many questions as possible, instead of just one blanket statement. I will circle back on Monday but you could print without me.

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 1:59 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

What about scrubbing documents of the words "climate change." What was the purpose?

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- <https://www.nytimes.com/2018/02/02/podcasts/the-daily/scott-pruitt-epa.html>
- <https://www.cbsnews.com/video/scott-pruitt-talks-with-major-garrett-full-interview/>

There was a lot of work from various people to get you the answers to your questions. We look forward to reading your story!

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To: Wilcox, Jahan <wilcox.jahan@epa.gov>
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- <http://news3lv.com/news/local/epa-chief-scott-pruitt-goes-one-on-one-with-news-3>

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- **“We don’t discuss who have been or not been interviewed for the Region 9 Administrator or any other position. The Administration is carefully considering many highly qualified candidates for Region 9 and will announce another great regional administrator soon.”** – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]
Sent: Wednesday, February 07, 2018 12:26 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan
Sent: Wednesday, February 7, 2018 3:20 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>; Press <Press@epa.gov>
Subject: RE: Questions about EPA morale

Will handle.

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Sent: Wednesday, February 7, 2018 2:36 PM
To: Press <Press@epa.gov>
Subject: Questions about EPA morale

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Peter Fimrite
Staff Writer
San Francisco Chronicle
Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Jackie Toth
Sent: Tue 12/19/2017 6:51:21 PM
Subject: Re: Q re: Definers contract

Thanks Jahan. Sorry, want to be clear here - background is fine for this bit - the EPA has canceled the contract effective today?

Jackie Toth
CQ Legal
Energy & Environment Reporter/Analyst
O: 202-650-6518

Personal Phone / Ex. 6

@JackieTothDC

On 19 December 2017 at 13:49, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Jackie Toth [mailto:jackietoht@cqrollcall.com]
Sent: Tuesday, December 19, 2017 1:43 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Molly Block <Molly.Block@mail.house.gov>
Subject: Q re: Definers contract

Hi all,

Can we get confirmation that the EPA canceled the Definers contract? When will Definers' services be fully terminated? Does the EPA intend to issue a replacement contract, and will it be opened to a bid?

Deadline's no later than 3:30pm today, if possible.

Thanks much,
Jackie

Jackie Toth
CQ Legal
Energy & Environment Reporter/Analyst
O: 202-650-6518

@JackieTothDC

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Dennis, Brady
Sent: Tue 12/19/2017 6:51:43 PM
Subject: RE: Hey

Ok, thanks.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 19, 2017 1:49 PM
To: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: RE: Hey

I have been told that is not the case. The statement below was written by our contract office.

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]
Sent: Tuesday, December 19, 2017 1:11 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Hey

Sorry, just want to clarify. Attaching a screenshot from the online contract. It says that it was “not competed,” which seems to suggest no-bid. But you’re just saying that’s not the case?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 19, 2017 1:02 PM
To: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: Hey

Your story says it was a no-bid contract. That is not accurate and we have this on-the-record statement regarding that “no-bid” language:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

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EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Wed 2/7/2018 8:53:52 PM
Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

1. The folks I've talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.
2. Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words "climate change" were scrubbed from contracts and grants, a form of censorship.
3. Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.
4. Many have told me off the record that they are scared to say anything and generally speak with each other in winks and whispers or out of the office because they fear being exposed by the consulting firm Definers Public Affairs, which they say has spent the past year investigating agency employees critical of the Trump administration and Pruitt. Is this true?
5. Many are also critical of the fact that the two people considered for the administrator job both worked in the oil, gas or mining industry. Can you confirm that Ryan Flynn and Chris Paul were considered for the position. How is the search for a new administrator going and what are you looking for in the leader?

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To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Thur 2/8/2018 8:58:34 PM
Subject: RE: Questions about EPA morale

Thanks, man. Would also like to confirm how many people are employed in Region 9. I hear it's 650. Also, please confirm or correct the following statement, some of which was published in the New York Times:

More than 700 employees nationwide have left the EPA since Trump was elected, about 400 of them through buyouts. President Trump's proposed budget calls for a 30 percent cut in 2018, which could mean a loss of 3,000 to 4,000 of the nearly 15,000 EPA employees nationwide. The Superfund program's budget would be cut by almost a quarter from \$1 billion to \$762 million.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Thursday, February 08, 2018 12:45 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Still working on this.

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Wednesday, February 7, 2018 3:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

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2. Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words "climate change" were scrubbed from contracts and grants, a form of censorship.
3. Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.
4. Many have told me off the record that they are scared to say anything and generally speak with each other in winks and whispers or out of the office because they fear being exposed by the consulting firm Definers Public Affairs, which they say has spent the past year investigating agency employees critical of the Trump administration and Pruitt. Is this true?
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Subject: RE: Questions about EPA morale

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EPA
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Personal Phone / Ex. 6

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Staff Writer

San Francisco Chronicle

Work: 415-777-8454

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Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Fri 2/9/2018 5:58:23 PM
Subject: RE: Questions about EPA morale

Are your comments below off the record or can I quote you on any of them? You have them in quotes with your name attached. I would like to quote a couple of those answers. Also, I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief Financial Officer. Can you confirm this for me?

I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 6:26 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Questions about EPA morale

Peter –

Off-the-record, in regards to budget proposals would just remind you that this morning the Senate passed a two-year budget that will fund the government. Rather than leaving the tea leaves of proposals, believe your readers would like to know the action that Congress has taken, which includes passing a budget that again funds the entire government for the next two years.

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Additionally, **below are some on-the-record responses** to your questions. Some of these answers took a while to find and we hope that you will be able to use as much as possible.

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Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words “climate change” were scrubbed from contracts and grants, a form of censorship.

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Subject: RE: Questions about EPA morale

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EPA

Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan

Sent: Wednesday, February 7, 2018 3:20 PM

To: Fimrite, Peter <PFimrite@sfchronicle.com>; Press <Press@epa.gov>

Subject: RE: Questions about EPA morale

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Peter Fimrite

Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: @pfimrite

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Fri 2/9/2018 7:22:28 PM
Subject: RE: Questions about EPA morale

OK, got it. Thanks.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 11:15 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Peter –

Can I update this answer regarding the 10 percent cut.

Q: I’m hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA’s Office of the Chief

On-The-Record Response: **“No, this is not accurate.”** – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Friday, February 9, 2018 1:15 PM
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To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Fri 2/9/2018 6:58:41 PM
Subject: RE: Questions about EPA morale

What about scrubbing documents of the words “climate change.” What was the purpose?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 10:15 AM
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- **"From Administrator Pruitt's focus on cleaning up toxic Superfund sites, his leadership during the government shutdown that kept the agency open and paid every employee, to EPA's Region 9 where just 11 employees took an early retirement and nearly a quarter of the employees are working despite being eligible to retire, morale is great at EPA."** – EPA spokesman, Jahan Wilcox

Three former employees and another current one say the office is short staffed, that Superfund sites have been prioritized, with some now on the back burner, and that the words "climate change" were scrubbed from contracts and grants, a form of censorship.

- **"Administrator Pruitt has placed a renewed focused on cleaning up toxic Superfund sites. We are reviewing every grant and 99.84 percent of all grants have been awarded."** – EPA spokesman, Jahan Wilcox

Another complaint is that industry and business metrics have been brought in to change the culture of the office and downsize and streamline environmental regulation.

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Many have told me off the record that they are scared to say anything and generally speak with each other in winks and whispers or out of the office because they fear being exposed by the consulting firm Definers Public Affairs, which they say has spent the past year investigating agency employees critical of the Trump administration and Pruitt. Is this true?

- **"No this is not accurate. Like any government agency, all EPA employees are subjected to the Freedom of Information Act (FOIA) and in terms of the FOIAs nearly all are aimed at political, not career employees."** – EPA spokesman, Jahan Wilcox

Many are also critical of the fact that the two people considered for the administrator job both worked in the oil, gas or mining industry. Can you confirm that Ryan Flynn and Chris Paul were considered for the position. How is the search for a new administrator going and what are you looking for in the leader?

- **"We don't discuss who have been or not been interviewed for the Region 9 Administrator or any other position. The Administration is carefully considering many highly qualified candidates for Region 9 and will announce another great regional administrator soon."** – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [<mailto:wilcox.jahan@epa.gov>]

Sent: Wednesday, February 07, 2018 12:26 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Call me or send me specific examples and I will do my best to address them.

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

From: Wilcox, Jahan
Sent: Wednesday, February 7, 2018 3:20 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>; Press <Press@epa.gov>
Subject: RE: Questions about EPA morale

Will handle.

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]
Sent: Wednesday, February 7, 2018 2:36 PM
To: Press <Press@epa.gov>
Subject: Questions about EPA morale

I'm working on a story about all the changes occurring at the EPA and the effect it has had on employees in the various regions, particularly region 9. I was hoping for a comment from the administration or a spokesman. Please call me at 415-777-8454.

Peter Fimrite
Staff Writer
San Francisco Chronicle
Work: 415-777-8454
Personal Phone / Ex. 6
Email: pfimrite@sfchronicle.com
Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Fimrite, Peter
Sent: Sat 2/10/2018 12:37:45 AM
Subject: RE: Questions about EPA morale

Thanks Jahan. You've been a big help. I think I'm good without this final answer. Story is running Sunday.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 2:26 PM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

Off-the-record, I do not do grants and the individual that does that has left for the day. I can get you an answer on Monday or you can just put decline to comment. I feel like I've done the best to answer as many questions as possible, instead of just one blanket statement. I will circle back on Monday but you could print without me.

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 1:59 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

What about scrubbing documents of the words "climate change." What was the purpose?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 10:15 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Subject: RE: Questions about EPA morale

I will call you but below is an on-the-record statement regarding 10 percent cut question:

I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief

"Decisions on office reductions, if needed, will be made based on the final FY2018 budget." – EPA spokesman, Jahan Wilcox

From: Fimrite, Peter [mailto:PFimrite@sfchronicle.com]
Sent: Friday, February 9, 2018 12:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Questions about EPA morale

Are your comments below off the record or can I quote you on any of them? You have them in quotes with your name attached. I would like to quote a couple of those answers. Also, I'm hearing that Region 9 will be facing a 10 percent personnel reduction by the end of fiscal year 2018, according to goals laid out by the EPA's Office of the Chief Financial Officer. Can you confirm this for me?

I definitely would like to tell about the actions of Congress rather than leaving the tea leaves of proposals. Can you give me some idea about what the budget passed last night means for the EPA in terms of cuts?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, February 09, 2018 6:26 AM
To: Fimrite, Peter <PFimrite@sfchronicle.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Questions about EPA morale

Peter –

Off-the-record, in regards to budget proposals would just remind you that this morning the Senate passed a two-year

budget that will fund the government. Rather than leaving the tea leaves of proposals, believe your readers would like to know the action that Congress has taken, which includes passing a budget that again funds the entire government for the next two years.

- **Today, Friday, February 9, 2018, Congress Passed A Budget That Will Fund The Government For The Next Two Years.** “After a temporary lapse in government funding that lasted through the night, Congress passed a pricey two-year spending deal early Friday that will also fund the government for an additional six weeks. The government temporarily closed after Congress failed to pass a government funding bill before a midnight deadline due to the objections of one senator, shutting down non-essential government services. In the end, a bipartisan cohort of lawmakers supported the \$400 billion agreement. Shortly after 1:30 a.m. ET, the Senate voted, 71-28, to approve a two-year spending bill that would reopen the government, and the House passed it at 5:30 a.m. with the support of 240 members. Trump tweeted Wednesday morning that he had signed the bill, officially ending the brief shutdown.” ([NBC News](#), 02/09/18)

Additionally, **below are some on-the-record responses** to your questions. Some of these answers took a while to find and we hope that you will be able to use as much as possible.

Jahan

From: Fimrite, Peter [<mailto:PFimrite@sfchronicle.com>]

Sent: Wednesday, February 7, 2018 3:54 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Questions about EPA morale

Thanks for getting back to me. Here are some questions and issues I'd like to have addressed:

The folks I've talked to say morale is as low as it has ever been at Region 9 and that many long time employees have been taking early retirement, buyouts or quitting as a result, mostly, in response to what they say is a de-emphasis on science and environmental protection, the core work of the EPA.

- **“From Administrator Pruitt’s focus on cleaning up toxic Superfund sites, his leadership during the government shutdown that kept the agency open and paid every employee, to EPA’s Region 9 where just 11 employees took an early retirement and nearly a quarter of the employees are working despite being eligible to retire, morale is great at EPA.”** – EPA spokesman, Jahan Wilcox

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Personal Phone / Ex. 6

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Peter Fimrite

Staff Writer

San Francisco Chronicle

Work: 415-777-8454

Personal Phone / Ex. 6

Email: pfimrite@sfchronicle.com

Twitter: [@pfimrite](https://twitter.com/pfimrite)

To: Joe Pounder[jpounder@definerscorp.com]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Wed 10/18/2017 8:13:50 PM
Subject: RE: Definers -- Clips

Guys we've been working on this since June. I don't know if the problem is with Definers or EPA but let's get this done, asap. No more delays.

From: Wilcox, Jahan
Sent: Thursday, September 28, 2017 6:27 PM
To: Joe Pounder <jpounder@definerscorp.com>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Definers -- Clips

Great. Adding Nancy and Liz.

On Sep 28, 2017, at 4:11 PM, Joe Pounder <jpounder@definerscorp.com> wrote:

We're fully registered...

<Screen Shot 2017-09-28 at 4.23.59 PM.png>

On Thu, Sep 28, 2017 at 3:29 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

From: Grantham, Nancy
Sent: Thursday, September 28, 2017 3:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Definers -- Clips

HI –

Working with contracts on this – here is the remaining issue that the contracting officer brought to me yesterday --

Specifically, the vendor is not registered in the System for Award Management (SAM). In order for any vendor to receive a contract from the federal government, they must be registered in this system. The vendor seems to be reluctant to register.

George had been working with the vendor on this. I have a call into the vendor as they may need assistance in completing the forms.

Will update you as soon as I hear from the vendor.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Wilcox, Jahan

Sent: Thursday, September 28, 2017 3:02 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Definers -- Clips
Importance: High

Where are we on this and when can we get this going? Today is a day where we could really use their help capturing clips in real time. This is very important and our wait and the process to do this has been way too long. Thank you!

Jahan Wilcox
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--
Joe Pounder
jpounder@definerscorp.com
571-290-5460

To: Joe Pounder[jpounder@definerscorp.com]
From: Wilcox, Jahan
Sent: Wed 10/18/2017 8:25:45 PM
Subject: FW: Definers -- Clips

From: Grantham, Nancy
Sent: Wednesday, October 18, 2017 4:24 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Definers -- Clips

We are just finishing the statement of work with the contracting office and then they have to advertise it for 5 days to justify "sole sourcing" this to Definers, due to the high \$ value of the contract, to make sure another vendor doesn't say they can do the same thing.

Thx ng
Sent from my iPhone
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Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

--

Joe Pounder
jpounder@definerscorp.com
571-290-5460

To: Lipton, Eric[lipton@nytimes.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Lisa Friedman[lisa.friedman@nytimes.com]
From: Wilcox, Jahan
Sent: Wed 12/20/2017 8:09:00 PM
Subject: RE: Question about FOIA responses here

According to the document you provided, the average time for a simple request to be filled is 18 days. Of these 17 requests, 16 were simple and 8 have been closed.

From: Lipton, Eric [mailto:lipton@nytimes.com]
Sent: Tuesday, December 19, 2017 3:46 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Lisa Friedman <lisa.friedman@nytimes.com>
Subject: Re: Question about FOIA responses here

Here are the requests from Allan
Getting you comparative data on FOIA responses in general

Eric Lipton

Washington Bureau
202 862 0448 office
Personal Phone / Ex. 6
lipton@nytimes.com

On Tue, Dec 19, 2017 at 3:34 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:
Can you send me the 17 requests and very unusual compared to ...

From: Lipton, Eric [mailto:lipton@nytimes.com]
Sent: Tuesday, December 19, 2017 3:25 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Lisa Friedman <lisa.friedman@nytimes.com>
Subject: Question about FOIA responses here

The response rate that Allan Blutstein had for his FOIAs here seems very unusual.

Here are those stats for 2017:

His 2017 HQ filings: 17 total requests. 8 closed, 5 full grants, 3 no responsive docs. 9 on 'assignment'

2017 numbers for regional EPA offices:

R1: 4 requests. 4 closed. 1 full grant, 3 no responsive docs
R2: 2 requests. 2 closed, 2 no responsive docs
R3: 4 requests. 1 still being processed. 3 closed, 2 no responsive docs, 1 withdrawn
R4: 2 requests. 2 closed, 1 full grant, 1 partial grant/partial denial
R5: 4 requests. 4 closed, 3 no responsive docs, 1 full grant (O'Grady docs)
R6: 3 requests. 3 closed, 1 no responsive docs, 2 full grants
R7: 2 requests. 2 closed, 2 no responsive docs
R8: 2 requests. 2 closed, 1 no responsive docs, 1 full grant
R9: 2 requests. 2 closed, 2 no responsive docs
R10: 3 requests. 3 closed, 2 no responsive docs, 1 partial grant/partial denial (released 62 records re: Michael Cox)

Here are my questions:

1) Did anyone at the EPA instruct the agency FOIA staff to accelerate processing of these FOIA responses?

2) Was Mr. Pruitt or members of his staff, including Liz Bowman and Jahan Wilcox or Samantha Dravis and Ryan Jackson or others on his staff, notified that these FOIAs had been filed and did any of these individuals participate in anyway in the handling of these FOIAs?

3) Why did Allan Blutstein get such fast turnaround on his FOIAs. Was it based on any kind of favoritism?

Thanks in advance for your help. A response this afternoon is needed.

Eric

Eric Lipton



Washington Bureau

202 862 0448 office

Personal Phone / Ex. 6

lipton@nytimes.com

To: Lisa Friedman[lisa.friedman@nytimes.com]; Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:20:07 PM
Subject: RE: Follow up question on MJ story

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

From: Lisa Friedman [mailto:lisa.friedman@nytimes.com]
Sent: Friday, December 15, 2017 10:15 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Follow up question on MJ story

Hello,
Can you please provide a comment about why the news compilation that Definers has been hired to do can not be performed in house?

Secondly - were there any issues with Bulletin that caused EPA to switch providers for this service?

Third, as there are clearly other companies that perform this work – – like the one EPA had previously contracted with – – can you please provide an explanation of why this was a no-bid contract.

Thank you,
Lisa

Lisa Friedman
Reporter, The New York Times
202-862-0306 office

Personal Phone / Ex. 6

Lisa.Friedman@nytimes.com

Twitter: @LFFriedman

To: Lisa Friedman[lisa.friedman@nytimes.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:48:40 PM
Subject: RE: Follow up question on MJ story

Checking with the folks in the office of acquisition management.

From: Lisa Friedman [mailto:lisa.friedman@nytimes.com]
Sent: Friday, December 15, 2017 10:21 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Follow up question on MJ story

And why was this a no-bid contract when other companies perform the same service?

Lisa Friedman
Reporter, The New York Times
202-862-0306 office

Personal Phone / Ex. 6
Lisa.Friedman@nytimes.com
Twitter: @LFFriedman

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Personal Phone / Ex. 6

Lisa.Friedman@nytimes.com

Twitter: @LFFriedman

To: Jason Abbruzzese[jason@mashable.com]; Konkus, John[konkus.john@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 3:52:09 PM
Subject: RE: Mashable media inquiry on Definers Public Affairs and the EPA

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From: Jason Abbruzzese [mailto:jason@mashable.com]
Sent: Friday, December 15, 2017 10:49 AM
To: Konkus, John <konkus.john@epa.gov>; Press <Press@epa.gov>
Subject: Mashable media inquiry on Definers Public Affairs and the EPA

Greetings,

Jason Abbruzzese from Mashable here. I'm following up on the Mother Jones report that the EPA has been contracting Definers Public Affairs.

I'd love to know what kind of worker Definers has been doing for the EPA. Think someone could fill me in?

Cheers,

Jason

--

Jason Abbruzzese
News Editor

Personal Phone / Ex. 6

Mashable
@JasonAbbruzzese

To: John Siciliano[jsiciliano@washingtonexaminer.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 4:27:31 PM

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

Jahan Wilcox
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Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

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Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 6:41:24 PM
Subject: RE: Follow up question on MJ story

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

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Twitter: @LFFriedman

To: John Siciliano[jsiciliano@washingtonexaminer.com]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 6:44:20 PM
Subject: RE:

One additional statement regarding sole-sourcing.

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

From: Wilcox, Jahan
Sent: Friday, December 15, 2017 11:28 AM
To: 'John Siciliano' <jsiciliano@washingtonexaminer.com>
Cc: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject:

“The Definers contract is for media monitoring/news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

To: Josh Siegel[jsiegel@washingtonexaminer.com]
Cc: John Siciliano[jsiciliano@washingtonexaminer.com]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 7:29:23 PM
Subject: Can you update your story - this was not no bid.

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Josh Siegel[jsiegel@washingtonexaminer.com]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 7:57:26 PM
Subject: RE: Can you update your story - this was not no bid.

Confirming you received this.

From: Wilcox, Jahan
Sent: Friday, December 15, 2017 2:29 PM
To: 'Josh Siegel' <jsiegel@washingtonexaminer.com>
Cc: 'John Siciliano' <jsiciliano@washingtonexaminer.com>
Subject: Can you update your story - this was not no bid.

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Jahan Wilcox
EPA
Strategic Communications Advisor
Personal Phone / Ex. 6
Work Email: wilcox.jahan@epa.gov

To: Friedman, Lisa[lisa.friedman@nytimes.com]
From: Wilcox, Jahan
Sent: Fri 12/15/2017 9:54:58 PM
Subject: Re: apologies for all the back and forth

That is correct - 120 annually or 10 a month. The old vendor was 207 annually. A savings of 87,000.

On Dec 15, 2017, at 4:36 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:

ok. the contract says \$120K - that's not accurate?

On Fri, Dec 15, 2017 at 4:32 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services.

This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient.

If you have questions regarding how Definers operates, we encourage you to contact them.

> On Dec 15, 2017, at 3:09 PM, Friedman, Lisa <lisa.friedman@nytimes.com> wrote:

>
> But a few more things were just brought to my attention that require a few more questions.
>
> America Rising, which as you know shares top leadership with Definers Corp., has filed more than 200 FOIAs with EPA since 2015. Most recently they have requested information, including emails and other data, about a number of EPA employees - including many who have spoken out publicly against the agency like Betsy Southerland, Michael Cox and John O'Grady.
>
> Can you please offer me a comment on whether EPA believes it is appropriate to hire a firm that shares ownership with an organization that has investigated its employees?
>
> Thank you
> Lisa
>
> --
> Lisa Friedman
> Reporter, New York Times
> (202) 862-0306 office
> **Personal Phone / Ex. 6**
>

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office
Personal Phone / Ex. 6

To: Pace, Julie[JPace@ap.org]; Biesecker, Michael[MBiesecker@ap.org]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 5:28:53 PM
Subject: Julie and Michael -

Below are our on-the-record responses in bold that you can attribute to me.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about \$3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt’s office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency’s own employees?

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA’s Protective Service Detail.” – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

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Thanks,

Michael



ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
[Public Key](#)

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

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www.ap.org/tips

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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To: Pace, Julie[JPace@ap.org]; Biesecker, Michael[MBiesecker@ap.org]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 5:41:25 PM
Subject: RE: Julie and Michael -

One more quote ...

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Monday, December 18, 2017 12:29 PM
To: 'Pace, Julie' <JPace@ap.org>; 'Biesecker, Michael' <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Julie and Michael -

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Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

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When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courier-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA's Protective Service Detail.” – EPA spokesman, Jahan Wilcox

As part of the same story, we will also be mentioning the \$120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

“Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them.” – EPA spokesman, Jahan Wilcox

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Michael



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Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
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To: Pace, Julie[JPace@ap.org]; Biesecker, Michael[MBiesecker@ap.org]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Mon 12/18/2017 6:15:32 PM
Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 1:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Jahan,

Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt’s physical security?

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Also, we have not seen and, depending on the amount, don’t have access to what was spent on a bug sweep under Lisa Jackson, but I’m interested in reporting that out. Can you provide the documentation on that, including the date, amount and the name of the vendor?

“Please ask your source, who apparently has access to the database of EPA’s expenditures.” – EPA spokesman, Jahan Wilcox

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 12:29 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Julie and Michael -

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Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

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Thanks,

Michael



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Michael Biesecker

Reporter

mbiesecker@ap.org

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To: Friedman, Lisa[lisa.friedman@nytimes.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 4:36:36 PM
Subject: RE: contract info

Just tried to call you.

From: Friedman, Lisa [mailto:lisa.friedman@nytimes.com]
Sent: Tuesday, December 19, 2017 10:42 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: contract info

Hi Jahan.

Here's a copy of the contract for Definers Public Affairs

<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=53D2AF0E-B566-47BB-8EB4-728DAC00CEB7&AwardID=59978626&AwardType=C>

As you'll see under competition details, it says the contract was not competed, and the reason it gives is "only one source - other."

Under 'numbers of offers received' it says: 1

By contrast, for example, here is the contract with Bulletin. It says under competition details that it was "competed under SAP." (simplified acquisition procedures)

<https://www.usaspending.gov/transparency/Pages/TransactionDetails.aspx?RecordID=3B728BF9-DC6E-45F1-BF65-BA5E42ACFE4C&AwardID=49688963&AwardType=C>

So - it appears clear here that the contract with Definers was a no-bid contract. If that's not in fact the case, then I'd like to request some explanation as to why it clearly says so on the contract itself.

And if indeed, as the contract states, it was a sole-source notification, then please provide an explanation as to why.

Thanks,
Lisa

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Personal Phone / Ex. 6

To: Friedman, Lisa[lisa.friedman@nytimes.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 5:41:24 PM
Subject: RE: well, then on a different subject...

“How we consume the news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Friedman, Lisa [mailto:lisa.friedman@nytimes.com]
Sent: Tuesday, December 19, 2017 12:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: well, then on a different subject...

Got a comment about Definers dropping out of the contract?

--

Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Personal Phone / Ex. 6

To: Friedman, Lisa[lisa.friedman@nytimes.com]
Cc: Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 5:41:40 PM
Subject: RE: well, then on a different subject...

“How we consume the news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Friedman, Lisa [mailto:lisa.friedman@nytimes.com]
Sent: Tuesday, December 19, 2017 12:29 PM
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Subject: well, then on a different subject...

Got a comment about Definers dropping out of the contract?

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office
Personal Phone / Ex. 6

To: Emily Holden[eholden@politico.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 5:44:46 PM
Subject: RE: Definers contract?

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Wilcox, Jahan
Sent: Tuesday, December 19, 2017 12:43 PM
To: 'Emily Holden' <eholden@politico.com>; Press <Press@epa.gov>
Subject: RE: Definers contract?

“How we consume the news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Emily Holden [<mailto:eholden@politico.com>]
Sent: Tuesday, December 19, 2017 12:28 PM
To: Press <Press@epa.gov>
Subject: Definers contract?

Is it true EPA is ending the contract?

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com

Personal Phone / Ex. 6

[@emilyhholden](#)

To: Friedman, Lisa[lisa.friedman@nytimes.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 5:45:40 PM
Subject: RE: well, then on a different subject...

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Wilcox, Jahan
Sent: Tuesday, December 19, 2017 12:42 PM
To: 'Friedman, Lisa' <lisa.friedman@nytimes.com>
Cc: Press <Press@epa.gov>
Subject: RE: well, then on a different subject...

“How we consume the news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Friedman, Lisa [<mailto:lisa.friedman@nytimes.com>]
Sent: Tuesday, December 19, 2017 12:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: well, then on a different subject...

Got a comment about Definers dropping out of the contract?

--
Lisa Friedman
Reporter, New York Times
(202) 862-0306 office

Personal Phone / Ex. 6

To: Dennis, Brady[Brady.Dennis@washpost.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 6:02:26 PM
Subject: Hey

Your story says it was a no-bid contract. That is not accurate and we have this on-the-record statement regarding that “no-bid” language:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Biesecker, Michael[MBiesecker@ap.org]; Bowman, Liz[Bowman.Liz@epa.gov]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 6:05:06 PM
Subject: RE: Julie and Michael -

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, December 19, 2017 1:02 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Julie and Michael -

Definers says its contract with EPA has been canceled. Do you wish to update Jahan’s statement from yesterday?

“Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them.” – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 5:10 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Adding Julie Pace, again. We have answered your questions with the following on-the-record statements.

“A similar security sweep was done for EPA Administrator Lisa Jackson.” – EPA spokesman, Jahan Wilcox

“Administrator Pruitt has received an unprecedented amount of threats against him and while the Associated Press attempts to trivialize his safety, there is nothing nefarious about security decisions made by EPA’s Protective Service Detail.” – EPA spokesman, Jahan Wilcox

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Sent: Monday, December 18, 2017 5:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Also confirming that you decline to comment on the specific questions in yellow below ...

From: Biesecker, Michael
Sent: Monday, December 18, 2017 1:27 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Jahan,

Again, we are willing to include the details of the similar spending under Lisa Jackson, but we don’t have immediate access to EPA’s

records. Please provide the details of the spending to which you refer. Otherwise, we will be left to say we couldn't immediately verify the charge you claim. Could you at least provide the date, amount and contractor so we can try to check it out?

Also, just to clarify, is it you on-the-record contention that Pruitt in no way requested the bug sweep, but that this was an independent decision made solely by the EPA Protective Service Detail? Can you say concretely whether the administrator was even aware of the decision?

Thanks,

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Julie and Michael -

Julie and Michael – below are the answers in bold.

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To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
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Could you please clarify how electronic surveillance would potentially imperil Administrator Pruitt's physical security?

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Michael

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Cc: Bowman, Liz <Bowman.Liz@epa.gov>
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To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

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Michael

AP

ASSOCIATED PRESS

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Reporter

mbiesecker@ap.org

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www.ap.org/tips

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." -- Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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To: Dennis, Brady[Brady.Dennis@washpost.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 6:48:29 PM
Subject: RE: Hey

I have been told that is not the case. The statement below was written by our contract office.

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]
Sent: Tuesday, December 19, 2017 1:11 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Hey

Sorry, just want to clarify. Attaching a screenshot from the online contract. It says that it was “not competed,” which seems to suggest no-bid. But you’re just saying that’s not the case?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 19, 2017 1:02 PM
To: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: Hey

Your story says it was a no-bid contract. That is not accurate and we have this on-the-record statement regarding that “no-bid” language:

“When the government seeks to sole-source a contract, notice must be placed on Fedconnect or Fedbizops so other vendors have an opportunity to provide documentation of their ability to provide the services outlined in the contract scope of work. In this case, one additional vendor responded with their qualifications and the media/news clips contract was awarded to Definers.” - EPA spokeswoman, Nancy Grantham

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

To: Jackie Toth[jackieto@cqrollcall.com]; Abboud, Michael[abboud.michael@epa.gov]; Molly Block[Molly.Block@mail.house.gov]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 6:49:41 PM
Subject: RE: Q re: Definers contract

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Jackie Toth [mailto:jackieto@cqrollcall.com]
Sent: Tuesday, December 19, 2017 1:43 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Molly Block <Molly.Block@mail.house.gov>
Subject: Q re: Definers contract

Hi all,

Can we get confirmation that the EPA canceled the Definers contract? When will Definers' services be fully terminated? Does the EPA intend to issue a replacement contract, and will it be opened to a bid?

Deadline's no later than 3:30pm today, if possible.

Thanks much,
Jackie

Jackie Toth
CQ Legal
Energy & Environment Reporter/Analyst
O: 202-650-6518

Personal Phone / Ex. 6

@JackieTothDC

This e-mail may contain confidential material. If you are not an intended recipient, please notify the sender and delete all copies. It may also contain personal views which are not the views of CQ Roll Call or its owner, The Economist Group. We may monitor e-mail to and from our network. For company information go to <http://legal.economistgroup.com>.

To: Skolnik, Samuel[sskolnik@bgov.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 7:07:13 PM
Subject: RE: Time-sensitive questions from Bloomberg Government

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor.”

From: Skolnik, Samuel [mailto:sskolnik@bgov.com]
Sent: Tuesday, December 19, 2017 1:42 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Time-sensitive questions from Bloomberg Government

Hi Jahan –

I just sent the following email to press@epa.gov, but wanted to make sure I got some kind of response today. My questions are regarding Definers Corp.

Any help appreciated,
Sam

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Hi all. I cover federal contracting and procurement issues for Bloomberg Government, and am working on a daily story based off of reports that EPA today has dropped the contract with Definers Corp. to help the EPA shape press coverage of the agency, through a no-bid contract.

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- 1 – Why did EPA drop the Definers contract?
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- 5 – Does EPA believe there are inherent risks to agencies, and by extension taxpayers, in no-bid contracts? If so, what are they?

I’m looking for comment (or EPA’s written thoughts, attributable to Jahan Wilcox or whoever the right person might be) by 4 p.m. today. My contact info is below.

Thank you,
Sam

:

Sam Skolnik
Senior Reporter

Bloomberg Government

Direct: (202) 416-3328

Personal Phone / Ex. 6

sskolnik@bgov.com
[@samskolnik](#)

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Sam Skolnik
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Bloomberg Government

Direct: (202) 416-3328

Personal Phone / Ex. 6

sskolnik@bgov.com

@samskolnik

To: Skolnik, Samuel[sskolnik@bgov.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 7:08:08 PM
Subject: RE: Time-sensitive questions from Bloomberg Government

“The Definers contract is for news clip compilation. The contract award was handled through the EPA Office of Acquisition Management and was \$87,000 cheaper than our previous media monitoring vendor while offering 24-7 news alerts once a story goes public.” – EPA spokesperson Nancy Grantham

From: Wilcox, Jahan
Sent: Tuesday, December 19, 2017 2:08 PM
To: 'Skolnik, Samuel' <sskolnik@bgov.com>
Subject: RE: Time-sensitive questions from Bloomberg Government

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Bloomberg Government

Direct: (202) 416-3328

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sskolnik@bgov.com

@samskolnik

To: Skolnik, Samuel[sskolnik@bgov.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 7:09:07 PM
Subject: RE: Time-sensitive questions from Bloomberg Government

“Definers was awarded the contract to do our press clips at a rate that is \$87,000 cheaper than our previous vendor and they are providing no other services. This year, EPA has received over 10,000 public information requests from journalists and individuals across the political spectrum and we're responding to them in a manner that is fair and efficient. If you have questions regarding how Definers operates, we encourage you to contact them.” – EPA spokesman Jahan Wilcox.

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Sent: Tuesday, December 19, 2017 2:08 PM
To: 'Skolnik, Samuel' <sskolnik@bgov.com>
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Sam Skolnik
Senior Reporter

Bloomberg Government

Direct: (202) 416-3328

Personal Phone / Ex. 6

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To: Skolnik, Samuel[sskolnik@bgov.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 7:09:45 PM
Subject: RE: Time-sensitive questions from Bloomberg Government

It's also not accurate to call it a no-bid contract. Below is our statement about that as well:

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Sent: Tuesday, December 19, 2017 2:09 PM
To: 'Skolnik, Samuel' <sskolnik@bgov.com>
Subject: RE: Time-sensitive questions from Bloomberg Government

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Subject: Time-sensitive questions from Bloomberg Government

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To: Lipton, Eric[lipton@nytimes.com]; Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Lisa Friedman[lisa.friedman@nytimes.com]
From: Wilcox, Jahan
Sent: Tue 12/19/2017 8:34:10 PM
Subject: RE: Question about FOIA responses here

Can you send me the 17 requests and very unusual compared to ...

From: Lipton, Eric [mailto:lipton@nytimes.com]
Sent: Tuesday, December 19, 2017 3:25 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Lisa Friedman <lisa.friedman@nytimes.com>
Subject: Question about FOIA responses here

The response rate that Allan Blutstein had for his FOIAs here seems very unusual.

Here are those stats for 2017:

His 2017 HQ filings: 17 total requests. 8 closed, 5 full grants, 3 no responsive docs. 9 on 'assignment'

2017 numbers for regional EPA offices:

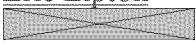
- R1: 4 requests. 4 closed. 1 full grant, 3 no responsive docs
- R2: 2 requests. 2 closed, 2 no responsive docs
- R3: 4 requests. 1 still being processed. 3 closed, 2 no responsive docs, 1 withdrawn
- R4: 2 requests. 2 closed, 1 full grant, 1 partial grant/partial denial
- R5: 4 requests. 4 closed, 3 no responsive docs, 1 full grant (O'Grady docs)
- R6: 3 requests. 3 closed, 1 no responsive docs, 2 full grants
- R7: 2 requests. 2 closed, 2 no responsive docs
- R8: 2 requests. 2 closed, 1 no responsive docs, 1 full grant
- R9: 2 requests. 2 closed, 2 no responsive docs
- R10: 3 requests. 3 closed, 2 no responsive docs, 1 partial grant/partial denial (released 62 records re: Michael Cox)

Here are my questions:

- 1) Did anyone at the EPA instruct the agency FOIA staff to accelerate processing of these FOIA responses?
- 2) Was Mr. Pruitt or members of his staff, including Liz Bowman and Jahan Wilcox or Samantha Dravis and Ryan Jackson or others on his staff, notified that these FOIAs had been filed and did any of these individuals participate in anyway in the handling of these FOIAs?
- 3) Why did Allan Blutstein get such fast turnaround on his FOIAs. Was it based on any kind of favoritism?

Thanks in advance for your help. A response this afternoon is needed.

Eric

Eric Lipton

Washington Bureau
202 862 0448 office
Personal Phone / Ex. 6

Hi Jahan –

Any help appreciated,
Sam

— —

Questions:

Thank you,
Sam

國	國	國	重	國	海	創	險	險	制	制	險	國	國	國	國	國
國	國	重	重	海	海	創	創	險	險	製	製	國	國	國	國	國

sskolnik@bgov.com
@samskolnik

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Skolnik, Samuel
Sent: Tue 12/19/2017 7:12:32 PM
Subject: RE: Time-sensitive questions from Bloomberg Government

Jahan – Thanks very much for these statements. Very helpful for my story. If I have follow-ups I’ll be back in touch.

Cheers,
Sam Skolnik

.....

Sam Skolnik
Senior Reporter

Bloomberg Government

Direct: (202) 416-3328
Cell: (702) 755-5729 *(On Fridays, please call my Cell)*
sskolnik@bgov.com
[@samskolnik](#)

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sskolnik@bgov.com

Food and Water Watch v. EPA, No. 1:18-cv-01497 (D.D.C.); EPA-HQ-20178-002708

ED_002048_00032180-00003

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Joe Pounder
Sent: Wed 10/18/2017 8:30:33 PM
Subject: Re: FW: Definers -- Clips

cool. cool.

On Wed, Oct 18, 2017 at 4:25 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

From: Grantham, Nancy
Sent: Wednesday, October 18, 2017 4:24 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Definers -- Clips

We are just finishing the statement of work with the contracting office and then they have to advertise it for 5 days to justify "sole sourcing"

this to Definers, due to the high \$ value of the contract, to make sure another vendor doesn't say they can do the same thing.

Thx ng

Sent from my iPhone

On Oct 18, 2017, at 4:13 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Guys we've been working on this since June. I don't know if the problem is with Definers or EPA but let's get this done, asap. No more delays.

From: Wilcox, Jahan
Sent: Thursday, September 28, 2017 6:27 PM
To: Joe Pounder <jpounder@definerscorp.com>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Definers -- Clips

Great. Adding Nancy and Liz.

On Sep 28, 2017, at 4:11 PM, Joe Pounder <jpounder@definerscorp.com> wrote:

We're fully registered...

On Thu, Sep 28, 2017 at 3:29 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

From: Grantham, Nancy
Sent: Thursday, September 28, 2017 3:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Definers -- Clips

HI –

Working with contracts on this – here is the remaining issue that the contracting officer brought to me yesterday --

Specifically, the vendor is not registered in the System for Award Management (SAM). In order for any vendor to receive a contract from the federal government, they must be registered in this system. The vendor seems to be reluctant to register.

George had been working with the vendor on this. I have a call into the vendor as they may need assistance in completing the forms.

Will update you as soon as I hear from the vendor.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Personal Phone / Ex. 6

From: Wilcox, Jahan

Sent: Thursday, September 28, 2017 3:02 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Definers -- Clips
Importance: High

Where are we on this and when can we get this going? Today is a day where we could really use their help capturing clips in real time. This is very important and our wait and the process to do this has been way too long. Thank you!

Jahan Wilcox
EPA
Strategic Communications Advisor

Personal Phone / Ex. 6

Work Email: wilcox.jahan@epa.gov

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Joe Pounder

jpounder@definerscorp.com
[571-290-5460](tel:571-290-5460)

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Joe Pounder
jpounder@definerscorp.com
[571-290-5460](tel:571-290-5460)

To: Brown, Rayna[brown.rayna@epa.gov]; Stewart, Keith[Stewart.Keith@epa.gov]
Cc: Plater, Lottie[Plater.Lottie@epa.gov]
From: Donna Dews
Sent: Wed 12/13/2017 10:13:10 AM
Subject: Personal Matters / Ex. 6

Hi Rayna

Personal Matters / Ex. 6

Elaine

Scott has access to file and Jessica Wilson, if you need to look at it in EAS, EP-18-H-000025. For the Nancy Grantham question as to when the service will begin. I believe from SOW which is in supporting documents- it was 30 or 60 days after award. Lottie has the number for Special Notice. I am unable to access my Environmental Protection email. If I could I would forward you my sent emails.

Personal Matters / Ex. 6

Personal Matters / Ex. 6

Personal Matters / Ex. 6

Donna Dews

To: Donna Dews[aspirebywhynot@gmail.com]; Stewart, Keith[Stewart.Keith@epa.gov]
Cc: Plater, Lottie[Plater.Lottie@epa.gov]; Gosnell, Jody[Gosnell.Jody@epa.gov]
From: Brown, Rayna
Sent: Wed 12/13/2017 12:10:52 PM
Subject: Personal Matters / Ex. 6

Personal Matters / Ex. 6

Kind regards,

Rayna Brown
Service Center Manager
U.S. Environmental Protection Agency (U.S. EPA)
OAM/HPOD/PCSC
(202) 564.6025 Office

-----Original Message-----

From: Donna Dews [mailto:aspirebywhynot@gmail.com]
Sent: Wednesday, December 13, 2017 5:13 AM
To: Brown, Rayna <brown.rayna@epa.gov>; Stewart, Keith <Stewart.Keith@epa.gov>
Cc: Plater, Lottie <Plater.Lottie@epa.gov>
Subject: Personal Matters / Ex. 6

Hi Rayna

Personal Matters / Ex. 6

Elaine Scott has access to file and Jessica Wilson, if you need to look at it in EAS, EP-18-H-000025. For the Nancy Grantham question as to when the service will begin. I believe from SOW which is in supporting documents- it was 30 or 60 days after award. Lottie has the number for Special Notice. I am unable to access my Environmental Protection email. If I could I would forward you my sent emails. Personal Matters / Ex. 6

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Donna Dews